United Nations S/PV.6838

Security Council

Sixty-seventh year

Provisional

6838th meeting
Wednesday, 19 September 2012, 10 a.m.
New York

President:	Mr. Wittig	(Germany)
Members:	Azerbaijan	Mr. Musayev
	China	Mr. Li Baodong
	Colombia	Mr. Osorio
	France	Mr. Araud
	Guatemala	Mr. Briz Gutiérrez
	India	Mr. Manjeev Singh Puri
	Morocco	Mr. Loulichki
	Pakistan	Mr. Tarar
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Karev
	South Africa	Ms. Mxakato-Diseko
	Togo	Mr. Menan
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mr. DeLaurentis

Agenda

Children and armed conflict

Increased accountability for violations and abuses committed against children

Report of the Secretary-General on children and armed conflict (S/2012/261)

Letter dated 6 September 2012 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General (S/2012/685)

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12-51510 (E)

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The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

Children and armed conflict

Increased accountability for violations and abuses committed against children

Report of the Secretary-General on children and armed conflict (S/2012/261)

Letter dated 6 September 2012 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General (S/2012/685)

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Afghanistan, Argentina, Australia, Austria, Bangladesh, Belgium, Bosnia and Herzegovina, Brazil, Canada, Chile, Costa Rica, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Denmark, Estonia, Finland, Greece, Iraq, Israel, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Malaysia, Mexico, Monaco, Montenegro, the Netherlands, New Zealand, Nigeria, Norway, the Philippines, the Republic of Korea, Slovenia, the Sudan, Sweden, Switzerland, the Syrian Arab Republic, Thailand, Uruguay and Viet Nam to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Ms. Leila Zerrougui, Special Representative of the Secretary-General for Children and Armed Conflict; Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations; and Mr. Anthony Lake, Executive Director of UNICEF, to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. David Tolbert, President of the International Center for Transitional Justice, to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2012/713, which contains the text of a draft resolution submitted by Australia, Austria, Belgium, Canada, Costa Rica, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Israel, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Montenegro, the Netherlands, New Zealand, Norway, Portugal, the Republic of Korea, Slovenia, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I wish to draw the attention of Council members to documents S/2012/261 and S/2012/685, containing, respectively, the report of the Secretary-General on children and armed conflict and a letter dated 6 September 2012 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General, transmitting a concept paper on the item under consideration.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it.

I shall now put the draft resolution to the vote.

A vote was taken by show of hands.

In favour:

Colombia, France, Germany, Guatemala, India, Morocco, Portugal, South Africa, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

None

Abstaining:

Azerbaijan, China, Pakistan, Russian Federation

The President: The draft resolution received 11 votes in favour, none against and four abstentions. The draft resolution has been adopted as resolution 2068 (2012).

I now give the floor to those members of the Security Council who wish to make statements after the voting on resolution 2068 (2012).

Mr. Li Baodong (China) (*spoke in Chinese*): China abstained on the resolution that was put to a vote just now. Children and armed conflict is an important item for the Security Council. China has taken a constructive approach from the very beginning in the consultations on the resolution. We have repeatedly emphasized that all sides of the Council should be

patient in consultations and properly address the major concerns relating to the resolution so as to make sure that a consensus could be reached on the resolution and that the Security Council could have a unified voice on the question of protecting children. However, the resolution failed to accommodate the reasonable concerns of Council members, and it was hastily put to a vote without adequate consultation.

China found it difficult to support a resolution that continues to give rise to serious differences among the members of the Council. In accordance with the Charter of the United Nations and the relevant resolutions of the Council, the Security Council should focus on the protection of children in situations of armed conflict. The resolution must not be willfully interpreted to equate incidents of terrorist attack in Pakistan, for instance, to armed conflict, which would exceed the mandate of the Security Council. Pakistan is at the forefront of the international fight against terrorism and has made important contributions to cooperation in the international fight against terrorism. The international community should provide more support and help to Pakistan's efforts in counter-terrorism rather than creating difficulties and obstacles.

Mr. Musayev (Azerbaijan): Azerbaijan's determination with regard to the protection of civilians, including children, in situations of armed conflict is based on my country's keen interest in contributing to the protection of human rights and fundamental freedoms and to the achievement of sustainable peace and development. That interest also stems from our practical experience in addressing the devastating consequences of serious violations of international humanitarian and human rights law committed during the war of aggression unleashed against my country.

Azerbaijan has strongly and consistently supported international efforts aimed at ensuring more effective protection for the rights of children and improving the situation of children affected by armed conflict. We welcome the appointment of the new Special Representative of the Secretary-General for Children and Armed Conflict. We look forward to close cooperation with the Special Representative and stand ready to contribute to her work. We have always proceeded from the strong belief that international protection efforts must be free of selectivity and must address all situations of armed conflict, including those of a protracted nature and prolonged impact on children, in particular.

In that regard, our delegation considers it important that the mandate and the methodology of work of the Special Representative should clearly reflect that understanding so as to ensure the comprehensive protection of children in all situations of armed conflict without distinction. However, resolution 2068 (2012), which we have just adopted, does not fully accommodate that approach in a more explicit and unambiguous manner, and thus has not provided the Special Representative with the appropriate guidance to that effect.

The primary objective and purpose of the resolution, as we see them, are to send a clear and unified message, not to introduce additional elements of uncertainty. We regret that the Council was unable to adopt a resolution on such an important issue unanimously. We hope that the differences among its members will in no way damage protection efforts in regard to children affected by armed conflict.

Mr. Osorio (Colombia) (*spoke in Spanish*): The effective protection of children affected by armed conflict is the primary objective that should influence Security Council decisions on that issue. In that regard, we support the work of the Special Representative of the Secretary-General for Children and Armed Conflict, and welcome the appointment of Ms. Leila Zerrougui.

We have a considerable body of Council provisions and decisions on that issue, whose effectiveness and correct implementation should be assessed before we broaden that legislative framework. What is essential is to strengthen and increase assistance and national capacity-building, as well as close cooperation with States, in order to achieve the effective protection of children affected by conflict.

Colombia voted in favour of resolution 2068 (2012), but warns that there is a clear difference between the incidents and situations that should be considered. The Council should concern itself with situations in which armed conflicts indeed threaten international peace and security and are therefore part of its agenda. We believe that the resolution which we have just supported again fails in that regard. The resolution lacks a reference to the need to restrict the content of reports of the Secretary-General to the mandate entrusted by the Security Council, which is clearly limited to situations and contexts provided for in resolutions 1612 (2005) and 1882 (2009) and 1998 (2011).

Colombia supports open consultation processes that provide for the participation of all members and the opportunity to address the concerns of all parties involved through the genuine pursuit of consensus. That helps to enrich the debate and the consideration of possible compromise solutions to opposing positions and ensures a transparent process.

The President: I now give the floor to Ms. Zerrougui.

Ms. Zerrougui (*spoke in French*): It is an honour for me to address the Security Council for the first time in my capacity as Special Representative of the Secretary-General for Children and Armed Conflict. Members may rest assured that I appreciate the responsibility entrusted to me and the challenges that await us. In that regard, I pay tribute to my predecessor, Ms. Radhika Coomaraswamy, for her exemplary work during the past six years and for the progress achieved made under her guidance.

I would also like to thank Germany for convening this open debate. The efforts of the German chairmanship of the Working Group on Children and Armed Conflict over the past two years made it possible to preserve a cooperative and open spirit. In that regard, I welcome the personnel commitment and the resolve of Ambassador Wittig and his team.

(*spoke in English*)

Before the Council is the eleventh report of the Secretary-General on children and armed conflict (S/2012/261). Since the last debate (see S/PV.6589), there has been tremendous progress — more than we have seen in previous years. However, violations continue to be committed against children, the number of persistent perpetrators has increased, and many new challenges have arisen.

With regard to dialogue with parties to conflict, we have seen a number of positive developments. Indeed, eight years after the Council's unanimous adoption of resolution 1539 (2004), action plans have generally been accepted by listed State and non-State parties as a unique tool that can successfully lead to de-listing. In 2011 alone, two parties — the Unified Communist Party of Nepal-Maoist in Nepal and the Tamil Makkal Viduthalai Pulikal in Sri Lanka — were removed from the annexes after having successfully implemented all concrete and time-bound activities spelled out in their action plans. That brings the total number of de-listed parties to nine.

However, it is not just about adding or removing a party from a list. It is about children, first and foremost about releasing children. Since the framework was put in place, tens of thousands of children have been separated from armed forces and groups and reintegrated into their communities. Indeed, actions plans are not only a process. They are a unique tool, mandated by the Council, to bring parties into compliance and to stop violations against children.

In 2011, action plans were signed in Afghanistan, the Central African Republic and Chad and, this year, in South Sudan, Myanmar and Somalia, where the Transitional Federal Government signed the first action plan on killing and maiming of children in August. To date, 20 action plans have been completed or are in the process of being implemented. It is especially heartening to note that practically all Government forces listed for the recruitment and use of children have now either signed an action plan or are negotiating one.

I am also happy to report to the Council today that the action plan with the Government of the Democratic Republic of the Congo has almost been finalized and is expected to be signed in the coming weeks. That action plan will include activities to end the recruitment and use of children by the security forces of the Democratic Republic of the Congo and, in accordance with resolution 1882 (2009), measures to prevent and halt sexual violence against children.

The continued mainstreaming of the children and armed conflict agenda into the United Nations is central to my Office's work. We are currently supporting the Department of Peacekeeping Operations and the Department of Political Affairs in their efforts to update the child protection policy for United Nations field missions. That effort is essential. I would like to emphasize that maintaining sufficient and dedicated child protection capacities in peacekeeping and special political missions is key to the implementation of the monitoring and reporting mechanism, as well as the successful conduct of dialogue with parties to conflict.

We also continue to work hand in hand with UNICEF to enhance child protection capacities in conflict-affected areas. Beyond our traditional colleagues, new partners are also joining our efforts, especially since the adoption of resolution 1998 (2011). My Office is currently working with UNESCO and has approached the World Health Organization to enhance

our monitoring of attacks against schools and hospitals. We are also increasing our links with the International Labour Organization, especially in relation to the economic reintegration of children formerly associated with armed forces and groups. In addition, we continue to enhance our cooperation with partners on sexual violence against children to further our implementation of resolution 1882 (2009). In that regard, I look forward to working closely with Under-Secretary-General Bachelet and Special Representative of the Secretary-General on Sexual Violence in Conflict, Zainab Hawa Bangura.

My Office has also been working to develop and strengthen partnerships with regional political and military organizations including the European Union, the African Union and NATO. That has proven useful, in particular in the areas of training, awareness-raising and the conduct of military operations. With that experience in mind, I will now look into working more closely with the League of Arab States, the Organization of Islamic Cooperation and the Association of Southeast Asian Nations.

Though much positive progress has been achieved, our work is hardly accomplished. In this year's report, 52 armed forces and groups are listed in the annexes. Forty-two of those are non-State armed groups and 10 are Government forces. At the request of the Council and as a follow-up to resolution 1998 (2011), the Secretary-General has listed for the first time five parties to conflict responsible for attacks on schools and hospitals.

Of the 52 parties listed, 32 persistent perpetrators have been listed for five years or more. The majority are non-State actors operating in situations where Governments may have the willingness, but not always the capacities to take measures. That is where the Council can play a critical role.

The cost of inaction has become too high. It is time to show the Council's determination to act. In follow-up to resolution 1998 (2011), my predecessor requested Ambassador De La Sablière, former French Permanent Representative to the United Nations, to prepare a comprehensive report on the way forward. The paper proposes a menu of options that could be considered by the Council against those persistent perpetrators. Those include increased tailored political engagement of the Council, strengthened accountability measures and targeted measures, where necessary. That could be done in an incremental manner, starting with those individuals in situations for which a sanctions committee is already in place. It would send a strong signal that the resolutions of the Council are not only words on paper and that vigorous action can be taken when they are not implemented.

Last year, we witnessed a tremendous change in the international environment. That created new opportunities but also new challenges for the United Nations and for this agenda in particular. The situations in Libya, Syria and Mali, for example, pose new threats for children that the Council, along with my Office and its partners, must address.

The situation of children in Syria is dire. My staff and other United Nations colleagues have documented Government attacks on school, children being denied access to hospitals, girls and boys suffering and dying in bombardments of their neighbourhoods and also being subject to torture, including sexual violence, sometimes for weeks. Since the publication of the report before the Council, my Office has also gathered evidence on violations committed by non-State armed groups in Syria. We have received information concerning indiscriminate bomb attacks that have killed children in Damascus and other areas, and continue to document incidents committed by armed actors, such as the Free Syrian Army, who may have children associated with their forces.

I have met with the Syrian Permanent Representative with regard to our concerns. I have ensured the Ambassador that I am ready to establish an open dialogue with the Syrian authorities as a sign of good faith towards their moral and legal obligations. In that regard, I have also asked the Ambassador to transmit my call to the Syrian armed forces to evacuate schools as a matter of utmost priority.

In Libya, the localized violence and continued presence of so-called armed brigades threaten the lives of children, long after the generalized violence of 2011 came to an end. It remains of concern that incidents of the association of children with armed groups are still being reported. My Office has been in close contact with the Libyan Mission in New York to strategize about how best to address the remaining threats to children in the Libyan context.

Since its inception in March 2012, the crisis in Mali has been characterized by grave violations against children. Hundreds of cases of recruitment and use of

children by the Mouvement national pour la libération de l'Azawad (MNLA), as well as by Ansar Dine and the Movement for Unity and Jihad in West Africa, have been reported. Particularly alarming are recent reports of new training camps in northern Mali, run by armed groups. Sexual violence against children, especially by the MNLA, is also of great concern.

In the Democratic Republic of the Congo, the resurgence of violence in the east has once again taken a heavy toll on children. The March 23 Movement (M-23), an armed group established by former members of the Congrès national pour la défense du peuple, has been responsible for intensive child recruitment campaigns since April this year; reports of recruitment in Rwanda on behalf of M-23 have also been received. M-23 has killed, maimed and injured scores of children, and sexual violence against girls has been reported. I am disturbed by the fact that M-23 perpetrators have a long history of violations against civilians, including children. The flagrant impunity in which they operate must be addressed once and for all. Measures must be taken to avoid political legitimacy for M-23 elements responsible for human rights violations.

Furthermore, the conflict along the border of the Sudan and South Sudan has put hundreds of children at risk, including children who are displaced from the Southern Kordofan and Blue Nile regions of the Sudan. In addition, I remain deeply concerned about the humanitarian situation concerning access for children in Southern Kordofan and Blue Nile.

Accountability is an integral element both to address and to prevent violations against children. Though imperfect, the preventive aspect of accountability is real. It should start with the criminalization of under-age recruitment and the domestication of international norms and standards prohibiting the recruitment and use of children. It must also be accompanied by domestic enforcement through national rule of law institutions. I would like to emphasize again that achieving accountability must be a common effort; while the primary responsibility lies with Governments, donor countries should support and help to strengthen national efforts by providing assistance to capacity-building.

The Lubanga and Taylor judgements have been a watershed in addressing violations against children in conflict in international and hybrid courts, and the possibility of appearing before the International Criminal Court has proven to be an effective deterrent for military commanders and is useful as leverage in dialogue on action plans. Prosecutions for the recruitment of children have also been undertaken in Myanmar and Colombia with positive effect.

However, the international community must give much greater support and attention to local and regional accountability mechanisms to strengthen institutional capacity for the long term. There is a need to further examine best practices in this regard and obtain institutional and financial support for these initiatives. Only with local and regional buy-in can we truly say that we have addressed these issues in a durable way.

As the Council knows, I served for four years as the Deputy Special Representative for the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo. I would like to share with the Council that children and their families have high expectations of the Council. Victims feel that it can and should alleviate their suffering. I have seen what the Council in action can do. It can change the fate of a child. Many challenges remain, but Governments and non-State actors have begun to respond to the Council's call for action.

I believe that the protection of all children from grave violations is within our reach. If we stand firm and united, we can move forward and deliver on what is expected from us, namely, that the international community come together and demonstrate its determination to protect children from war. I would like to assure all of my partners, including all Member States, that I am willing to work closely, to listen and to act together in this endeavour.

The President: I thank Ms. Zerrougui for her briefing.

I now give the floor to Mr. Ladsous.

Mr. Ladsous (*spoke in French*): I would like to begin by thanking the Government of Germany for inviting us to participate in this open debate. Speaking to you personally, Mr. President, I would like to congratulate you on your leadership and achievements as the Chair of the Working Group on Children and Armed Conflict.

I would also like to congratulate Ms. Zerrougui on her appointment as the new Special Representative of the Secretary-General for Children and Armed Conflict. The Department of Peacekeeping Operations is firmly committed to supporting her work as the

independent and moral advocate for children affected by armed conflict. Throughout the years, the Office of the Special Representative has provided excellent leadership and established strategic partnerships with the Department of Peacekeeping Operations, UNICEF and the broader United Nations system. This unique partnership has enabled us to lean on the comparative strength of each actor in order to provide comprehensive and real protection for children on the ground, as this is, after all, about them.

(*spoke in English*)

As a key part of this unique partnership, our multidimensional peacekeeping operations are of course uniquely placed to contribute to the actual protection of children affected by conflict. They provide a common platform that combines political, justice, human rights, gender, child protection and other civilian expertise with military, police and corrections experts and myriad logistical and operational capabilities.

The deployment of child protection advisers to our peacekeeping operations, with the support of the Security Council, has enabled us to harness all of our capacities and to leverage our political, security and civilian assets to better protect children.

First, at the political level, child protection advisers support heads of missions in integrating the United Nations child protection concerns at all stages of the peace process, including negotiations with Governments, armed groups or parties to conflict. Take the example of the Sudan, where, following broad political consultations held between the Mission and the Justice and Equality Movement (JEM) earlier this year, JEM issued a command order last week prohibiting the recruitment and use of child soldiers. JEM has thus become the seventh armed movement in Darfur to have taken such a significant step since 2010.

Secondly, our military peacekeepers actually play an important role in protecting children from violations. In the Democratic Republic of the Congo, where I myself was last week, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) military units and observers deployed in remote areas have contributed to the disarmament, demobilization and reintegration of children by providing information, security and critical logistical support for their release. Since the beginning of this year, for instance, MONUSCO has documented the release of no less than 1,038 children through the assistance of peacekeepers. In the past four months alone, at least 38 children have escaped from the March 23 Movement in eastern Democratic Republic of the Congo, as Ms. Zerrougui mentioned, and sought refuge and protection with peacekeepers. These children were handed over to UNICEF and partners for reintegration support.

Thirdly, our child protection advisers are working closely with all civilian components, such as those dealing with human rights, disarmament, demobilization and reintegration, rule of law, justice, protection of civilians coordinators, women protection advisers, gender and security sector reform to promote synergies and a child-sensitive approach to their work.

An important area where the mission harnesses its broad capacities, including the military, police and civilian components, is in the implementation of the monitoring and reporting mechanism. These diverse components refer cases and provide critical information on grave violations to United Nations country task forces, which enables the mission leadership and child protection actors to respond appropriately and support the important work of the Working Group on Children and Armed Conflict, which you chair, Mr. President.

All of those efforts can have a real and sustainable impact when we work closely with national authorities. An excellent example of this partnership was the recent renewal of the action plan to end the recruitment and use of child soldiers signed by the Sudan People's Liberation Army (SPLA) with UNICEF, the United Nations Mission in the Republic of South Sudan and the Special Representative of the Secretary-General for Children and Armed Conflict in March 2012. As a result, the SPLA has screened out 429 children at recruitment sites and ordered its military units to vacate all occupied schools immediately. Today, 11 out of 16 schools have indeed been vacated, and efforts are under way to vacate the remaining five. These achievements are a testament to how concerted action at all levels can result in better protection for children in conflict zones.

Although we have made significant progress in providing protection for children, the report of the Secretary-General (S/2012/261) illustrates that more needs to be done. One of our priorities moving forward is to ensure that we maximize our resources to improve our interventions. We believe that training is an important tool to achieve this. Indeed, in different

missions, training on child protection for all military, police and civilians is a top priority. This year alone, over 9,000 peacekeepers received awareness training on child protection in our peacekeeping missions. With the generous support of several Member States, the Department of Peacekeeping Operations is leading the updating of training materials for peacekeepers. Those training tools will be ready in 2013.

A second priority is the update of the DPKO policy on child protection. We are working jointly with the Office of the Special Representative and with the Department of Political Affairs to reflect the most recent developments in the child protection agenda, and the broader protection agenda since 2009, and to strengthen our collective efforts in this regard.

In conclusion, I would like to reiterate our firm commitment to the protection of children in conflict. Under the leadership of the Special Representative, in partnership with UNICEF, we are deeply committed to ensuring the full implementation of Security Council resolutions. Jointly, we believe that indeed we can deliver tangible and lasting peace for vulnerable children whose lives are so often disrupted by conflict. As always, we look to the Council's mandate and support to achieve that.

The President: I now give the floor to Mr. Lake.

Mr. Lake: I would like to thank you, Mr. President, for inviting me to participate today. Let me begin by thanking in absentia Radhika Coomaraswamy and Alain LeRoy for all of their work. I also want to heartily welcome our new partnership with Leila Zerrougui and Hervé Ladsous. We very much look forward to ever stronger work together in this tremendously important field. Let me also thank Germany and you, Mr. President, for your devoted, even passionate, work in this cause and all your work as Chair of the Security Council Working Group on Children and Armed Conflict.

More than ever — under the leadership of the Council, the Secretary-General, you, Mr. President, and so many others — the issue of children and armed conflict is getting more of the focus, attention and action that it deserves, as participants you heard from my colleagues. But it deserves still more.

In a child's eyes one will find the light of hope and of promise for the future. But look into the eyes of former child soldiers, or the eyes of children who have suffered from terrible abuses, or even the eyes of those who have simply witnessed the horrors of war. That light is still shadowed by fear, pain and the terrible knowledge of humanity at its worst. Those children have seen too much, too soon.

An orphan boy from a small village recruited at gunpoint to become a soldier, handed a gun of his own to recruit others, blinded by prejudice and hate, trained to kill without emotion. A girl living through the horror of rape. A boy robbed of his legs after stepping on a landmine planted outside his school. A sick, bed-ridden child waiting for medicine that will never arrive in her village because soldiers stand in the way.

The world is making progress in holding perpetrators of such acts accountable. The recent verdicts against Thomas Lubanga by the International Criminal Court, and against Charles Taylor by the Sierra Leone Special Court, for example, demonstrate global progress against impunity and for justice. But accountability runs in many directions. Just as perpetrators need to be held accountable for the fate of children in conflict zones, so do Governments, and so do we.

The nine resolutions adopted by the Council since 1999 represent a clear commitment to accountability and action on behalf of children trapped in the horror of conflict. That includes last year's ground-breaking resolution 1998 (2011) to make attacks on schools and hospitals an automatic trigger for listing parties in the Secretary-General's report.

The United Nations monitoring and reporting mechanism is also built around accountability and a commitment to end grave abuses of children's rights. The information on violations collected by United Nations task forces around the world is helping us to shape timely and appropriate responses in regions blighted by conflict, and to meet our goal of protecting all children.

UNICEF is working closely with Governments and communities to protect and rehabilitate children affected by conflict. In addition to monitoring and reporting violations, we are offering a range of responses, including mine-risk education, psychosocial support, vocational training, assistance to survivors of sexual violence and help for children who are being reintegrated into society after their association with armed forces and groups.

We must recognize that the future of those children hangs in the balance. We cannot leave them to fend for themselves. This is our commitment and our accountability. The responsibility of Governments to their citizens, and of citizens to each other, is most fully measured by their accountability to the most vulnerable in their societies. They must therefore support efforts to monitor, report and respond to grave violations against children and their rights.

Governments and others must allow United Nations involvement to help them establish national systems to prevent sanctions violations and deliver the right response services to those who need them without delay. Those actions cannot take place in isolation. They can only be effective through the active involvement of all those concerned, including Governments and communities, as well as the engagement even of those responsible for perpetuating violations against children. That work includes negotiations with armed forces and groups to secure the release of children who have been recruited, sometimes abducted and forced into combat.

In Mali, for instance, UNICEF and our partners have engaged with community leaders who are in active contact with armed parties to the conflict to advocate for children's rights and to end child recruitment. In the Central African Republic we are working with three armed groups with whom we have signed action plans to release children from their ranks. Similar efforts are under way in Afghanistan, Chad, Myanmar, the Philippines, Somalia, South Sudan and elsewhere.

This work is enormously complex, especially in situations involving cross-border conflicts and refugee flows into neighbouring countries. For the United Nations it demands that we leave room for negotiation and walk a fine line — between our hunger for justice and our thirst for peace, between our work on prevention and our work to rehabilitate the victims, and between our outrage at the perpetrators and our need to persuade them.

In short, there is a natural tension at the heart of UNICEF's efforts to deliver impartial humanitarian assistance while protecting and advocating for children's rights. That work, of course, is not only inherently intense, it is also resource-intensive, especially as we establish the monitoring and reporting mechanism in new situations and implement various action plans with parties to the conflicts.

As we accept those necessary costs and ask for help in managing them, we will always keep our eyes on our ultimate goals, namely, protecting, rehabilitating and upholding the rights of children trapped in conflict zones. When one meets one of these children face-to-face, as many of us have, one notices something extraordinary. A few kind words; a welcoming ear of an adult who is not there to take advantage of them or to cast judgment upon them; an offer of food, water or medicine — those simple gestures can bring her or his guard down, even for just a moment. Despite the horrors endured, there is resilience there, a glimmer of gritty hope.

These children are not beyond our reach. Our message to them must be that noe of us will not turn away; that our resolve to bring perpetrators to justice will not falter; and that every one of us accepts the burden of accountability.

The President: I now give the floor to Mr. Tolbert.

Mr. Tolbert: I would like to thank you, Mr. President, for the opportunity and the invitation to participate in this open debate. I am very honoured to speak alongside Hervé Ladsous and Anthony Lake. I am also very honoured to meet Leila Zerrougui today and to hear her remarks as the new Special Representative of the Secretary-General for Children and Armed Conflict. The International Center for Transitional Justice (ICTJ) looks forward to working together with her office to bring an end to impunity for violations against children in armed conflict.

The Council itself is seized with a number of situations that highlight the importance of that issue, perhaps most urgently the situation in Syria.

The Council has already achieved many important advances on the protection of children in armed conflict. Over the past five years, 20 action plans have been concluded by the United Nations with armed forces and armed groups, as part of the broader framework developed by the Security Council over the past decade. The action plans are a crucial first step in ending violations against children in situations of armed conflict. However, more needs to be done to end impunity for those crimes. I will therefore focus my remarks today on ways to achieve greater accountability in contexts where action plans have been signed or are being negotiated.

There are two critical steps that the Council and its members can take to advance that aim.

First, the Council should press States to leverage international resources and expertise to support national processes. Second, the United Nations should include a greater focus on an integrated approach to accountability for violations against children once action plans are implemented.

Before discussing those two key measures, I would like to first address our understanding and our concept of accountability. For many, accountability is thought to mean criminal prosecutions. Prosecutions are, after all, essential for accountability. They send a clear message that certain violations will not be tolerated by society or by the international community. However, ICTJ's work over the past decade in over 40 countries has shown that, in isolation, prosecution is not enough. Accountability for violations against children in armed conflict is best achieved through a comprehensive approach to justice that addresses not only the responsibility of perpetrators but also the rights of victims within a broader process of social change. A comprehensive approach to justice should include truth-seeking, reparations and institutional reform, in addition to criminal prosecutions. Together, those are the key elements of transitional justice.

If we are to effectively confront violations against children and their consequences, we must be able to understand the underlying causes and the patterns of their occurrence. Truth-seeking mechanisms, such as truth commissions, can address such factors. Military and security forces or armed groups that engage in criminal acts, such as the recruitment of child soldiers, must be thoroughly restructured as part of a process of institutional reform, if such unacceptable practices are to be eradicated. Reparations are crucial if we are to send a message to child victims that the harms they have suffered were violations of their rights and that the State is committed to upholding those rights in the future. When such approaches are applied in an integrated and genuine manner, they promote civic trust and strengthen the rule of law.

The Council has succeeded in raising awareness of the need to address violations against children internationally. It should also seek to leverage its position so as to strengthen and support national processes. In its first judgment the International Criminal Court convicted Thomas Lubanga Dyilo for the war crime of conscripting and enlisting children in the Democratic Republic of the Congo. That was a crucial step in the process of establishing an internationally respected norm against the recruitment and use of child soldiers. But the Lubanga trial was never intended to address all perpetrators.

We have observed in our work that the recruitment of children continues, and that many perpetrators enjoy impunity. In that context, the Security Council has the opportunity to use that step forward in international justice to leverage the verdict in the Lubanga case in order to strengthen national processes in the Democratic Republic of the Congo. In line with the Rome Statute, what the Democratic Republic of the Congo needs now is international support for national judicial processes, notably for national courts and comprehensive reparations programmes.

I therefore call on the international community to support the efforts of victims to enforce existing national court decisions awarding reparations, as well as to encourage donors and the Congolese Government to help the Trust Fund for Victims implement reparations for communities affected by forced recruitment.

The Working Group on Children and Armed Conflict should urge donors to support national processes that seek to achieve comprehensive accountability. In terms of expertise, the Working Group can also draw on the work of non- governmental organizations working on the ground. In much the same way that the monitoring and reporting mechanism brings together the United Nations and partners to document violations against children, we need to create synergies to provide remedies to the victims of those violations once documented.

Recalling measures in its 2006 "tool kit" document, the Working Group on Children and Armed Conflict should include in its country-specific recommendations

> "support to transitional justice and truth-seeking mechanisms, including support in the development and implementation of child-sensitive procedures" (*S/2006/724, addendum*).

That leads me to my second point, which is to call for a greater focus on accountability in the context of action plans. As one example, Myanmar is a country where we have been actively engaged for several years. ICTJ welcomes the recent signing of the Security Council mandated action plan for the release and

reintegration of children associated with state armed forces. Alongside this, the complaints mechanism of the International Labour Organization has been an effective, if limited, accountability mechanism in Myanmar, in part because it has been able to balance awareness-raising and engagement with the military, with concrete consequences for recruiters of child soldiers.

Currently, within the State armed forces, the consequences for recruiting children in Myanmar are less severe than the consequences for not bringing in enough recruits. That is one example of an incentive structure that needs to be turned upside down to guarantee that the recruitment of minors is stopped.

During an interview with an ICTJ staff member, a former child soldier told us that he wants acknowledgment that he was unable to finish his education because he was recruited, something that a truth commission could address. In contexts where action plans have been signed, as part of a transitional justice approach, truth commissions could by incorporating a focus on children reveal the root causes of the child soldier phenomenon. They could also serve to identify the multiple ways in which children have been affected and provide a forum to officially acknowledge the violations that victims have suffered.

I urge the Council to consider action plans as a starting point for achieving accountability for violations against children. I would strongly encourage the Council to support an integrated approach to accountability, one that pursues perpetrators and also provides acknowledgement and remedy for the violations suffered by victims and initiates a process of institutional reform. That can be done, in part, by calling for comprehensive transitional justice measures to form part of United Nations responses in tandem with action plans.

Finally, and in closing, as the Council continues the significant progress it has already made on accountability for children, it should continue to recognize that the protection of children — and accountability for serious crimes and grave violations against them — are part of the Council's role in upholding peace and security. The Special Representative of the Secretary-General for Children and Armed Conflict has been instrumental in advancing that work, alongside with the Department of Peacekeeping Operations, UNICEF, the International Labour Organization and other United Nations entities. Their mandates regarding children and armed conflict should be supported and strengthened. The challenge ahead is to translate progress at the international level into lasting change at the national level. We at ICTJ strongly believe that an integrated approach to accountability, through the full range of transitional justice mechanisms and increased support for national processes, will assist the Security Council and the community of nations in our efforts to end crimes against those most vulnerable among us — the children caught up in armed conflict.

The President: I shall now give the floor to Council members.

Mr. Li Baodong (China) (*spoke in Chinese*): I welcome Germany's initiative in convening today's meeting. I thank Special Representative of the Secretary-General Zerrougui, Under-Secretary-General Ladsous and UNICEF Executive Director Anthony Lake for their respective briefings. I also listened carefully to the statement made by Mr. Tolbert.

China attaches great importance to the issue of the protection of children in armed conflict. China condemns violations against children in situations of armed conflict and rejects the recruitment and use of child soldiers. China supports the continued efforts of various United Nations agencies to promote the protection children in armed conflict, in accordance with their mandates and bringing into full play their respective expertise and strengths. In that connection I would like to emphasize the following four points.

First, in accordance with the provisions of the United Nations Charter and the relevant resolutions of the Security Council, the Council should address the issue of the protection children in armed conflict as a priority. The protection of children is an integral part of its overall efforts to prevent and settle conflicts. The problems and the root causes of the abuse of children in conflict must be addressed, by tackling the root causes of conflict and increasing preventive diplomacy. The Security Council should encourage and support the peaceful settlement of disputes by such means as good offices, mediation and negotiation. Only actions to prevent and reduce armed conflicts and to promote post-conflict reconstruction, including comprehensive measures to ensure the reintegration of children into society, will help create a favourable social and security environment.

Secondly, Security Council resolutions on the protection children in armed conflict must be strictly implemented. All parties to a conflict have the obligation to respect and protect the rights of children. An objective and just approach should be adopted on the question of the protection of children, so as to prevent the politicization of the issue and the application of different standards for different conflict situations. Arbitrary interpretation of Security Council mandates and actions, beyond the authorization of the Council, will be nothing but detrimental to the common efforts of the international community to protect children.

Thirdly, countries in armed conflict bear the primary responsibility to protect their children. The sovereignty of countries in conflict should be respected. The key to the implementation of relevant resolutions and the effective implementation of various initiatives to protect children lies in support, cooperation and action on the part of the countries concerned. Strengthening capacities of countries in armed conflict should receive sufficient attention. Sanctions should remain as the last resort available to the Council to address situations that pose a threat to international peace and security. China has always advocated caution in adopting sanction measures.

Fourthly, the Secretary-General's report on the question of children and armed conflict (S/2012/261) sets out important principles for actions by the Council. Safeguarding the authority of the report will facilitate the implementation of Council resolutions and strengthen cooperation among Member States on the issue. In drafting such reports attention should be paid to communication with the Governments concerned and the information provided by the countries concerned. In considering the Secretary-General's reports, the Security Council should listen fully to the opinions of all parties and in particular those of the parties concerned.

Mr. DeLaurentis (United States of America): I would like to thank you, Mr. President, for convening this debate. I also thank Special Representative of the Secretary-General Zerrougui, Under-Secretary-General Ladsous, Executive Director Lake and Mr. Tolbert, President of the International Center for Transitional Justice, for their briefings. Before I begin I would also like to thank former Special Representative of the Secretary-General Radhika Coomaraswamy for her six years of dedicated service and enormous contributions, and to welcome Special Representative Zerrougui to that very important and demanding position. The United States very much looks forward to working with her.

The Secretary-General's report (S/2012/261) notes some encouraging developments. In 2011 the Special Representative of the Secretary-General signed three action plans, with the Government of Chad and two armed groups in the Central African Republic. Thus far in 2012, the United Nations has signed four action plans, with South Sudan and Burma and two with Somalia. The Democratic Republic of the Congo has submitted a draft action plan on child soldiering, which is being reviewed by the Special Representative of the Secretary-General's office. Such action plans are a proven tool for promoting child protection and rehabilitation.

There were other signs of progress as well. The Maoist party in Nepal was delisted from the Secretary-General's report after it ended the recruitment and use of child soldiers and completed its action plan commitments to suspend payments, cease providing housing and encourage disqualified minors to register for reintegration programmes. The delisting of the Iniya Bharati faction was a major step in resolving the last elements of child soldiering in Sri Lanka, although more remains to be done.

Discussions on action plans with armed groups also made progress. In Afghanistan the Ministries of Interior and Defence undertook initiatives to prevent the recruitment and exploitation of children. Those are real and tangible results, and we commend the Special Representative of the Secretary-General's Office for its success in significantly improving the situation of children in such countries.

Still, much of the Secretary-General's report documents many ongoing instances of appalling abuses against children. The Lord's Resistance Army, for example, continued its barbaric operations in several African countries, abducting 101 children in the Central African Republic and carrying out 211 attacks in the Democratic Republic of the Congo. Many of those attacks used child soldiers, and they resulted in the abduction of 124 children in a portion of the Democratic Republic of the Congo's Orientale Province alone. The report documents almost 1,000 cases of child recruitment in Somalia, mainly by Al-Shabaab, and notes the registration of 7,800 child casualties of conflict in the three main hospitals in Mogadishu.

The carnage committed by Al-Assad and the clique around him is particularly distressing. As the report states,

> "Children as young as 9 years of age were victims of killing and maiming, arbitrary arrest, detention, torture and ill-treatment, including sexual violence, and use as human shields. Schools have been regularly raided and used as military bases and detention centres." (*S/2012/261, para. 19*)

Such atrocities, including the torture of young children, continue with alarming frequency and serve as further evidence that the Council should do more to support humanitarian assistance and political transition in Syria.

As we look to the future of the process we should reflect on what more we can do to better protect children in areas of armed conflict. We agree with the Secretary-General that we must find a better way to affect the conduct of persistent perpetrators. Since most Government forces have signed action plans or given indications that they will do so, our main concern should be with non-State armed groups. In addressing such armed groups, we must consider two issues. First, because national Governments have the primary responsibility to protect children in their territory, the United Nations must work with armed groups only in close cooperation with national authorities. Resolution 2068 (2012), which we adopted a few minutes ago, correctly reaffirms that position, which the Council emphasized last year in resolution 1998 (2011).

Secondly, the United States strongly believes that the Security Council should consider a broader range of options to increase pressure on persistent perpetrators of violations and abuses committed against children in situations of armed conflict. At this time, a free-standing sanctions regime on children in armed conflict would not seem to address the need for better tools to deal with persistent perpetrators. As the Secretary-General documents in his report (S/2012/261), four country-specific sanctions committees with designation criteria on violations and abuses against children already exist.

However we encourage the Special Representative of the Secretary-General to provide a report to the working group evaluating the range of possibilities in this area, with a view to facilitating a report by the group to the Council. A thoughtful analysis of different proposals on how to promote accountability would help bring an end to the cycle of violence that plagues children living in conflict-affected areas where persistent perpetrators operate.

Our work today to remove children from the scourge of armed conflict has seen great progress, through the implementation of action plans and focused work to educate armed groups. But we must still summon the resolve to hold accountable the most recalcitrant perpetrators, and redouble our commitment to end impunity.

Mr. Osorio: (Colombia) (*spoke in Spanish*): Allow me, at the outset, to thank you, Mr. President, for organizing this debate. I commend your particular devotion to this issue and your preparation of the concept note (S/2012/685, annex), on the basis of which we carried out arduous negotiations.

I would like to thank the Secretary-General for issuing his annual report on children and armed conflict (S/2012/261). I am also graterful for the briefings by Ms. Leila Zerrougui, Mr. Hervé Ladsous, Mr. Anthony Lake and Mr. David Tolbert. I wish to again welcome Ms. Zerrougui as the new Special Representative of the Secretary-General, as well as to assure her of my Government's commitment and readiness to work with her office in order to strengthen protection for children affected by armed conflict in various parts of the world.

As I said in explaining Colombia's vote, my delegation would like to again draw attention to the series of existing norms on the protection of children in armed conflict. It is therefore necessary to examine the ways they have been implemented and how they are functioning and to carefully consider whether or not it is necessary to adopt new instruments.

When consisdering this matter, it is important to continuously bear in mind that the Council must assess and focus on situations of armed conflict that represent a serious threat to international peace and security. It must draw a clear distinction between such situations and others not on its agenda. Each case must be individually analysed to determine appropriate responses to the specific circumstances and contexts of each situation.

Moreover, I think that it is important to emphasize in our discussion on this issue that the Council and other United Nations entities must strictly adhere to the agreed mandate, which has been formulated in absolutely clear terms. We must deal with the protection of children in armed conflict, which would exclude any situation that

could not be defined as such a conflict. For those cases there are other bodies and others ways of dealing with the issue. When the Council decided that the report of the Secretary-General should include a second annex referring to situations not on its agenda, namely, "other situations", it did so clearly with the understanding that these would, in all cases, refer to parties to an armed conflict as determined by the applicable standards of international law.

In order to improve its consideration of the issue of children and armed conflict, it would be appropriate for the Council to consider strengthening national capacities for the protection of boys and girls. Reporting and monitoring tools can prove useful, yet not definitive. In that context, the Security Council and its Working Group on Children and Armed Conflict must evaluate the efficiency of existing mechanisms in order to help to strengthen States' national capacities. That has been a core concern of the Colombian Government, for which the defence of children is not only an obligatory constitutional tenet but also an ethical and moral imperative for any civilization. Colombia has established an intersectoral commission with that goal in mind, which works under the mandate of a document created by our country's economic and social council. State bodies bearing responsibility on the matter work in harmony to achieve a comprehensive policy to prevent the recruitment of children and other violations against them throughout Colombia, with special emphasis on areas and locations where the greatest challenges in relation to the issue have been identified. In that regard, I would like to refer to the "My rights first" programme, which is a comprehensive prevention plan that aims to provide children opportunities to develop freely and to be able to use their free time for games and leisure activities.

Taking into account the context of this debate, I should like to point out that sanctions only make sense when a Government fails to heed appeals by the international community. However, applying sanctions to armed non-State actors in situations not on the Council's agenda pose a panoply of complications, starting with the fact that clearly this can have a bearing on fundamental interests of the country involved, as well as on matters of national security. Similarly, the targeted sanctions mechanism is applicable only in those situations on the Council's agenda, where the Council has determined, pursuant to Article 39 of the Charter of the United Nations, that such situations constitute a threat to international peace and security. The Council's readiness to adopt this sort of measure when it comes to persistent perpetrators cannot therefore be considered as applicable to situations referred to in annex II of the annual report of the Secretary-General.

In conclusion, we believe that the issue of the protection of children in armed conflict requires improved dialogue and continuous consultation between the United Nations system and Governments, which bear primary responsibility on the issue. For our part, our Government remains ready to work and to cooperate jointly on this issue.

Mr. Loulichki (Morocco) (*spoke in French*): My delegation is pleased to take part in this debate on an issue of key importance to the United Nations and its States Members and appeals to our collective conscience. It is presided over by you, Sir, and represents a just tribute to your commitment and efforts devoted to the matter.

Furthermore, I congratulate Ms. Leila Zerrougui on her appointment as Special Representative of the Secretary-General for Children and Armed Conflict. I wish to assure her of Morocco's commitment to support her efforts as we have done with her predecessor, Ms. Radhika Coomaraswamy. Lastly, let me thank Mr. Hervé Ladsous, Mr. Anthony Lake and Mr. David Tolbert for their briefings.

Today's debate gives us the opportunity to take stock of the progress made in assessing the challenges surrounding the protection of children, as well as the scope and gravity of the violence committed against this vulnerable sector of society, in violation of the most basic principles of human rights and international law, including international humanitarian and refugee law. The magnitude of the atrocities endured by children in these conflicts demands firm, unwavering commitment on the part of the international community to ending such things, with their devastating consequences for the victims and their families.

We can only condemn and fight any exploitation of children's innocence, vulnerability and ingenuousness designed to induce them to take part directly or indirectly in conflicts. No rationale or pretext can justify recruiting children into armed conflict or mitigate the criminal responsibility of those who encourage it or force them to be involved. It goes without saying that denouncing and prosecuting such practices, as has been noted, must be supported with strategies and specific measures aimed at preventing them.

As the Secretary-General's report (S/2012/261) emphasizes, prevention strategies must address the problems in a comprehensive manner, first at the national level, by enacting laws that make recruiting under-age children a crime; then, at the local level, by improving measures designed to protect them and raising family and community awareness; and by establishing national re-education, training and employment programmes that offer young people better prospects. Such efforts should involve not only public authorities but also non-governmental organizations, national human rights institutions and civil society, and should furthermore enjoy priority and significant donor financing. In that regard, my delegation specifically endorses the Secretary-General's recommendation that Governments that ask be given help in implementing prevention strategies. Here we can only welcome the growing number of action plans signed or being negotiated, as the Special Representative of the Secretary-General mentioned, and that reflect the merit of an approach that involves dialogue and cooperation.

The Child Protection Policy adopted jointly in 2009 by the Department of Peacekeeping Operations (DPKO) and the Department of Field Support has helped to guide United Nations activities regarding the protection of children in armed conflict and to support the mandate of child protection advisers in peacekeeping operations. We welcome the steps the DPKO has taken to educate and train United Nations forces in order to enable them to protect children in situations of armed conflict. At the same time, we believe it essential to strengthen the capacity of the countries concerned, with the sustained commitment of the United Nations to cooperation and technical assistance, in order to help those countries implement their action plans successfully.

Recruiting children into armed conflict is a crime to be condemned by any and every standard. We are all indisputably obliged to combat it, and we must do everything to put an end to it. Coordinating the efforts of the various stakeholders in the United Nations system is a guarantee of effectiveness and success; but, as has been widely emphasized and demonstrated, primary responsibility for that lies with the parties to conflicts, who must be prevailed on to respect the lives and rights of children, as expressed in Security Council resolutions and international conventions.

In conclusion, I voice the hope that the international consensus on the importance of protecting children in situations of armed conflict will be transformed, through dialogue, cooperation and recognition of different sensitivities, into a truly universal consensus, fully endorsed by all parties, to be welcomed by every child living in a situation of armed conflict.

Mr. Karev (Russian Federation) (*spoke in Russian*): We thank our German colleagues for organizing today's meeting, and we are grateful to the guest speakers for their useful briefings and assessments of the state of the protection of children in armed conflict.

It is clear that, despite the measures that have been undertaken at the international and national levels, along with the existence of a broad international legal foundation, children continue to be among the most vulnerable groups affected by armed conflict. Russia condemns all serious offences committed against children, regardless of who perpetrates them, and advocates the prosecution of all such perpetrators. We also firmly condemn intentional attacks on civilians, including children, as well as the indiscriminate and disproportionate use of force that produces the same results. The primary responsibility for protecting and rehabilitating children belongs to national Governments, while steps taken by United Nations entities should be designed to support and complement those efforts. United Nations representatives may be allowed to engage with non-governmental armed groups only with the consent of the Government of an affected nation.

The parameters for protecting children in armed conflict and post-conflict recovery are laid out in resolution 1612 (2005). They relate both to the operation of the monitoring and accountability mechanism and to the activities of the Working Group on Children and Armed Conflict. Those mechanisms must focus primarily on the most pressing and large-scale situations of armed conflict on the Council's agenda.

As far as other situations are concerned, they can be considered by the Working Group only with the consent of the State involved. Under Germany's leadership, the Working Group has achieved a great deal in terms of crafting recommendations on specific situations. Implementing them effectively requires developing close cooperation with the Governments concerned in an atmosphere of trust and dialogue, which should ultimately help to improve conditions for children on the ground.

A key role in the Security Council's activity in the area of protecting children in armed conflict unquestionably belongs to the Special Representative of

the Secretary-General for Children and Armed Conflict. In that regard, we welcome the appointment to the post of Ms. Leila Zerrougui and hope that her considerable experience in the United Nations system will help her make a significant contribution to measures taken at the international level to protect children affected by armed conflict, and to make efforts in this area more effective. Based on the experience already gained, we would like to make some recommendations that we hope will help enhance the effectiveness of the Special Representative's work.

In recent years, we have unquestionably been quite effective in achieving system-wide coordination of efforts in the area of the protection of children in armed conflict. Information and outreach activities have been very successful. Here we should mention specifically the active part played by the Special Representative in the International Criminal Court's first prosecution of a war crime for the recruitment and active use of children in combat in the *Lubanga* case. At the same time, there are still several issues concerning the implementation of certain aspects of the Special Representative's mandate.

First, we note that the Special Representative's area of responsibility does not cover every issue related to the protection of children in armed conflict, but only those situations that are on the Security Council's agenda. In that context, the concept of armed conflict itself should not be too broadly interpreted, including in the Secretary-General's reports. It is essential that the information used be accurate and objective. Carefully weighed evaluations, based on credible and reliable information, will guarantee the subsequent practical implementation of recommendations made, above all by establishing mutually respectful dialogue with the Government concerned. For example, with respect to crimes committed against children in Syria, the report (S/2012/261) of the Secretary-General accuses only Government forces and their supporters. They alone are mentioned in annex I to the report. Crimes perpetrated by representatives of the opposition are referred to only in passing in the same report.

With respect to Libya, we never received complete information with respect to the situation of children in that country and the investigation of the deaths of children as a result of the NATO military operation in that country. There are ample credible reports in this case, not only on children's deaths but also on their recruitment.

There is one other issue: elaborating specific procedures and criteria for delisting parties to an armed conflict from the annexes to the annual report of the Secretary-General. It is our view that the current inclusion of 32 such parties is evidence, inter alia, of the need to devise understandable criteria for delisting parties from such lists. It cannot be denied that States on whose territory such parties are engaged in an armed conflict are working very hard to remedy the situation. The lack of simple and clear criteria not only does not help the Governments of those countries but continues to engender certain suspicions with respect to the objectivity of the instrument as a whole.

Devising plans of action on putting an end to this type of crime, as was proposed in the 2010 report (S/2010/181) of the Secretary-General, is not, in our view, the sole response to this issue. On the one hand, certain parties to armed conflict have adopted such plans but are still listed, and, on the other, it is well known that the existence of this type of document in no way ensures that it is being implemented in practice or even that there is an intention to do so.

In conclusion, we deem regrettable that for the first time a draft resolution on the issue of children and armed conflict was not adopted unanimously by the Security Council. As we see it, this has highlighted once again the importance of ensuring that when such important instruments are negotiated, the views of all members of the Council, without exception, are taken into account. In our view, consultations on the text should have continued, since during those consultations we saw positions converging, and prospects remained for reaching a consensus on the text. We hope that in future such situations will be avoided.

Mr. Araud (France) (*spoke in French*): I should like at the outset to thank those who spoke before me for the explanations they have provided, and I very warmly welcome the new Special Representative of the Secretary-General, Ms. Leila Zerrougui. On behalf of my delegation, I wish her every success in her important new role.

I shall be relatively brief. Many of my colleagues have already said what I wanted to say, in particular in terms of emphasizing that the mechanism we have devised for the protection of children in armed conflict shows that our Organization is faithful to its ideals in responding to the demands of our collective conscience. The mechanism, a successful endeavour on the part of

the United Nations, makes it possible to demobilize more than 10,000 child soldiers per year. That success is attributable first and foremost to the work done by Ms. Radhika Coomaraswamy over the past six years, and I should like, as my colleagues have done before me, to thank her.

But that success is due also to the instruments with which we have equipped ourselves, which have made possible the signing of 20 action plans, the last two of them over the summer, with the Transitional Federal Government of Somalia and the Government of Burma. We are also pleased to learn that the Democratic Republic of the Congo is ready to sign a new plan of action and that negotiations have begun with Libya.

We must persist in our efforts in order to achieve a world without child soldiers in 25 years, including the goal set by Ms. Coomaraswamy, that of no child soldiers in Government armies in 10 years' time.

But this meeting should not be about triumphalism. Not only do a number of persistent perpetrators remain; new ones have emerged. UNICEF believes that, in the Democratic Republic of the Congo, more than 2,000 children have been forcibly recruited in the past five months in North Kivu. Reports indicate that the M-23 movement recruited dozens of children in July and August to use in its fight against the Congolese armed forces.

Because of the deliberate attacks targeting schools and hospitals in Syria, which are often turned into centres for detention and torture, and because of the acts of violence committed against children, who are being tortured, raped and killed outright, this year the Syrian army and its auxiliary forces have been put on the list of infamy. Let us recall that 49 children's bodies were discovered by United Nations observers lying among those of the 108 victims of the Houla massacre, who had been mowed down by Syrian artillery and had had their throats cut by its auxiliary forces.

We must also enhance and strengthen our instruments, in particular to deal with the problem of persistent perpetrators, which have been on the list of infamy for five years or more and continue to violate children's rights with impunity; today they number 32. In most cases, we have no means of effectively punishing such violators, which undermines the credibility of the child-protection mechanism established by the Council.

France therefore would wish to see the strengthening of measures to combat impunity. It was in that spirit that we adopted resolution 1998 (2011) and that today we adopted resolution 2068 (2012). But we need to go still further. For guidance we can turn to the recommendations made by the former Permanent Representative of France, Ambassador De La Sablière, in his report, which was requested by the previous Special Representative. The report recommends that the problem of persistent perpetrators be tackled at the appropriate political level by means of Council consultations and press statements and by encouraging the Working Group to ensure concrete follow-up of the issue. Targeted measures must also be devised. The Working Group could, for example, become an ad hoc sanctions committee when the situation so requires.

We also would be in favour of enhanced dialogue with the International Criminal Court. That could mean at first an invitation to the Prosecutor, Ms. Fatou Bensouda, to brief the Council on this issue. France would like these proposals to be considered by the Working Group.

The Council's Working Group must also be endowed with the resources necessary to accomplish its task. We therefore trust that field missions will continue at the current pace, following those to Nepal and Afghanistan in 2011. We would like to see their funding earmarked as new measures under the regular budget for 2013-2014, which will be adopted in the fall.

I wish to conclude by saying that together with the Special Representative of the Secretary-General for Children and Armed Conflict, UNICEF and our partners in the steering committee, we will convene the fifth ministerial follow-up Forum on the Paris Commitments and the Paris Principles in November. The Paris Principles and Commitments are complementary to Security Council action, and we call on all States Members of the United Nations to endorse them as soon as possible.

I should like to take this opportunity to congratulate you, Mr. President, as well as your team for the manner in which you have chaired the Working Group on Children and Armed Conflict, and I thank you for having convened this debate.

I cannot conclude, however, without ruing the fact that not all Council members agreed to the text that was adopted. Unanimity was possible and could have been achieved had certain States foregone their

attempts to weaken our measures and to politicize United Nations action in this sphere. Only the rejection of politicization and adherence to the text will allow the United Nations to remain faithful to our ideals in this major undertaking.

Mr. Moraes Cabral (Portugal): I thank you, Sir, for convening this open debate on children and armed conflict, an issue to which Portugal attaches great importance. Let me congratulate Germany on its leadership in the Working Group and the work that has been accomplished there.

I naturally thank the briefers for their excellent presentations and join others in warmly welcoming the new Special Representative of the Secretary-General, Ms. Leila Zerrougui. I assure her of Portugal's full support in her work and efforts to ensure increased protection of children in situations of armed conflict. I would also like to add a word of appreciation to the former Special Representative for her work over the past six years.

Portugal obviously shares the views that will later be expressed by the observer of the European Union regarding this issue, but allow me to underline some aspects of particular significance to my country.

The latest report of the Secretary-General (S/2012/261) provides us with a clear overview of the progress made on the situation of children and armed conflict. Much has been done, and we have added steps to prevent the recruitment and to end the use of children by armed forces and groups. Some of these important steps have already been mentioned today. Every release of a child is indeed a concrete advancement, and by now tens of thousands of children have been released worldwide.

The advocacy and dedication of the Office of the Special Representative of the Secretary-General, as well as of UNICEF and peacekeeping missions, have been crucial in furthering this agenda. In this regard, specific commitments by parties to conflict to stop the recruitment and use of child soldiers have proven to be very effective, and we should encourage them. The strong normative framework and the mechanism to monitor, report and respond to grave violations against children, established by the Security Council, are also fundamental tools to stop child soldiering. Resolution 2068 (2012), which we adopted today, is another important piece of this normative framework.

The theme of this open debate is very relevant indeed. The need to tackle impunity regarding persistant perpetrators who have been clearly identified should certainly guide our work in the near future. We are referring to individuals or entities that have been identified as persistent perpetrators for five years or more, and most of them are non-State actors. The Council needs to address those difficult cases and ensure that such individuals are accounted for and sanctioned. If we do not do so, it will be the credibility of the system that we have built that will be at stake.

The Security Council has started to apply targeted measures against persistent perpetrators in situations on its agenda, but we strongly believe that the mandates of existing sanctions committees, as they are being renewed or established, should also include child protection criteria, as is already the case with some of them, thus furthering the normative framework for child protection in situations of armed conflict.

We also believe that the Council needs to find a way to consider targeted measures against perpetrators of grave violations against children in situations where a dedicated sanctions committee does not exist. We welcome the discussion that will take place in the Council on this issue, and we believe that one possible solution to increase pressure on persistent perpetrators would be to establish a thematic sanctions committee to target individuals and entities that are identified as such.

But sanctions are and should continue to be a last resort, too. Prevention through national strategies and concrete commitments on the part of the parties and Governments is obviously the most effective tool for promoting and protecting children. In this context, national protection and accountability mechanisms are fundamental. As has already been mentioned, the primary responsibility for child protection lies with national authorities, and any international action in that regard must be closely coordinated with them.

Finally, in the past year decisive steps have been taken to ensure accountability for those responsible for recruiting and using child soldiers. Portugal has welcomed the recent decisions of the Special Court for Sierra Leone and the International Criminal Court, which constitute important landmarks for international justice and demonstrate that accountability is achievable and can be implemented. Such verdicts send a clear

signal to parties to armed conflict throughout the world that impunity is unacceptable.

The Security Council must also show strong resolve and political engagement to render even more effective its response to counter impunity for crimes against children and to enhance accountability for violations of international humanitarian law and human rights law.

Ms. Mxakato-Diseko (South Africa): We thank Germany for facilitating this important debate. We are grateful for the very useful statements made by the Special Representative of the Secretary General for Children and Armed Conflict, Ms Leila Zerrougui; the Under-Secretary-General for Peacekeeping Operations, Mr. Herrvé Ladsous; the UNICEF Executive Director, Mr Anthony Lake; and the President of the International Centre for Transitional Justice, Mr. David Tolbert.

We congratulate Ms. Zerrougui on her appointment and we wish to acknowledge the significant contribution of the former Special Representative, Ms. Radhika Coomaraswamy, to the protection of children in armed conflict. We also welcome resolution 2068 (2012), just adopted.

The plight of children in armed conflict remains an issue of deep concern to South Africa. Armed conflict continues to disproportionally affect children, who remain the most vulnerable to attacks, forced recruitment and deprivation of their basic rights. Children involved in armed conflict are deprived of an opportunity to grow up in a secure environment where they can realize their full potential. The international community's response to the plight of the most vulnerable in situations of conflict is a direct reflection of its commitment to protecting children caught up in armed conflict.

South Africa is pleased that the issue of children and armed conflict continues to receive the attention it deserves on the agenda of the United Nations in general and the Security Council in particular since the compilation of the first United Nations report by Ms. Graça Machel in 1996 on children affected by armed conflict (A/51/306 and Add.1).

We have noted that the Security Council has identified six grave violations committed against children in armed conflict. South Africa believes that each must be given equal priority and attention by the Council. In this regard, we welcome the expansion of the trigger mechanism for punitive measures. It is imperative that all parties to armed conflict refrain from any action that could violate the rights of children. We call on all parties involved in conflict to abide by international law, including international humanitarian law, and refrain from attacks against civilian targets, particularly those wherein children would be present.

We have noted that the efforts employed by the Council, including the threat of being listed in the reports of the Secretary-General, has led to some actors modifying their behaviour. However, despite the commendable work of the Council, and in particular the Working Group on Children and Armed Conflict and the Special Representative of the Secretary-General, there remain State and non-State entities that continue to persistently perpetrate violations and abuses against children.

We should note that State actors in most cases have been cooperative and have worked constructively in preparing and implementing concrete, time-bound action plans to cease and prevent abuse and violations against children. The major challenge, however, has been bringing armed opposition and rebel groups into compliance. Thus, when considering compliance measures, we need to ensure that they will be effective against non-State parties in particular.

Despite our efforts to address these persistent violators in a non punitive way, there has been a dramatic increase in their number from 13 to 32. We therefore need to assess whether the actions we have taken thus far are sufficient and effective to deal with these cases, because clearly they are not, as the numbers attest. We therefore share the concern of the Secretary-General about the unacceptable, high and growing number of persistent perpetrators of grave violations against children, as well as his call that further decisive and immediate action is needed to halt such violations and to ensure that persistent perpetrators are brought to account.

It is therefore imperative that we consider appropriate action; otherwise, we would be rendered ineffective and unable to assist some of the most vulnerable victims of armed conflict. The report (S/2012/261) of the Secretary-General provides us some concrete recommendations for addressing this matter. It is the responsibility of the Council to take positive action in that regard.

Resolution 1612 (2005) reaffirmed the Council's intention to consider imposing, through country-

specific resolutions, targeted and graduated measures against those in violation of applicable international law relating to the rights and protection of children in armed conflict. The expansion of designation criteria for listing by some Sanctions Committees — including those on the Democratic Republic of the Congo, Somalia, the Sudan and Côte d'Ivoire — of those committing grave violations against children is a welcome development. The Council should therefore consider the expansion of the criteria when contemplating sanctions measures. In that regard, the Council could receive recommendations from the Working Group on listing individuals involved in gross violations against children in armed conflict. That would necessitate a close working relationship between the Working Group and the country-specific sanctions committees.

Another recommendation offered by the Secretary-General is closer cooperation with national and international courts to address persistent perpetrators who continue to commit grave violations against children in conflict situations. In that regard, we welcome the recent decision by the International Criminal Court in respect of Mr. Thomas Lubanga Dyilo and the decision of the Special Court for Sierra Leone in respect of Mr. Charles Taylor for their crimes against humanity, which include violations related to children.

It is also regrettable that a larger number of persistent perpetrators are on the African continent, with the Lord's Resistance Army in particular continuing to devastate the lives and the livelihoods of communities, including the security impact thereof. That should of course come as no surprise, as most conflicts are on the African continent. It is therefore vital for the United Nations to work with the African Union and subregional organizations on the African continent in addressing this challenge. That will ensure effective coordination, monitoring and reporting mechanisms, in addition to galvanizing political will.

It is vital that we do not forget the long-term needs of children who have been affected by armed conflict. South Africa therefore underscores the importance of adopting a broad strategy regarding conflict prevention. It should address the root causes of armed conflict in a comprehensive manner and create an environment conducive to the protection and promotion of children's rights.

In conclusion, South Africa commends the work of the Working Group, especially its role to review progress in the development and implementation of time-bound action plans by parties to conflict to halt the recruitment and use of children, which are violations of international obligations. We would like to express our continued commitment to work with Council members and international community to ensure that the protection of children remains our priority.

Mr. Menan (Togo) (*spoke in French*): I should first of all like to thank you, Mr. President, for having placed this very important issue concerning children on the agenda of the Security Council under Germany's presidency. I also congratulate Ms. Zerrougi on her appointment as Special Representative of the Secretary-General for Children and Armed Conflict. I wish her every success in her work. Lastly, I would like to thank Mr. Ladsous, Under-Secretary-General for Peacekeeping Operations, for his introduction of the report (S/2012/261) of the Secretary-General, as well as Mr. Anthony Lake, Executive Director of UNICEF, and Mr. David Tolbert, President of the International Center for Transitional Justice, for their relevant contributions to this debate.

It is evident that armed conflict has always posed a grave threat to peace and security where children are concerned, including to protecting their rights. Quite often, they become deliberate targets and collateral victims of such conflicts, while not themselves being the cause for them. It is therefore a source of great concern to note that, in most conflicts throughout the world, children are forced to play an active role by participating actively in combat or by taking on other roles incompatible with their status as children.

In the world today, approximately 250,000 child soldiers are subjected to grave violations of their rights, specifically through recruitment, sexual violence, death and mutilation and attacks against schools. In all of that, they are the primary victims. It is difficult to explain such attacks against the honour and dignity of children against the backdrop of the 20 November 1989 international Convention on the Rights of the Child, which calls for respecting and protecting children's rights. The reason for that is clearly owing to the inability, difficulty or refusal to implement the provisions of the Convention, as well as similar legal instruments. But it is also due to a lack of national policies to safeguard the well-being of children. Moreover, where Governments have taken steps or adopted action plans on children, implementation suffers from the lack of follow-up and

a low level of real involvement on the part of local authorities and civil society.

My country would nevertheless like to commend the decisive role of the United Nations in protecting children's rights, which is manifested in the adoption of the Convention as well as numerous resolutions of the Security Council on this issue. That constitutes real commitment and advocacy on behalf of protecting the rights of children.

In that regard, I would like to commend the Security Council's holding of private consultations to present the criteria for the listing in annex II of the reports of the Secretary-General of groups responsible for grave violations against children in situations of armed conflict. Those consultations are very much in line with the implementation of resolution 1998 (2011), which included attacks on schools, hospitals and their personnel as criteria for listing perpetrators on the list contained in the Secretary-General's report — whereas previously the criteria included only sexual violence, murder, mutilation and the recruitment of child soldiers.

It is also important that we commend the results of the Security Council's Working Group on Children and Armed Conflict, which include providing guidance to the Council with respect to its conclusions, resolutions and presidential statements, with the aim of helping countries experiencing armed conflict to safeguard children.

As party to the Convention on the Rights of the Child as well as other relevant international legal instruments, Togo strives to make the protection of children's rights a reality by adopting legislative and regulatory measures, including making school mandatory and providing free primary schooling. Moreover, in July 2007, Togo adopted a law on children that mandates a prohibition on recruiting children under the age of 18 for service in our national armed forces. For some time now, my country has carried out awareness-raising campaigns on this issue among the population, in particular aimed at parents.

Every State Member of the Organization should engage with determination in establishing the conditions in which children can grow up free from all violence and any violation of their rights. One of the ways to reach that goal is to include respect for the Convention on the Rights of the Child among the rules governing the conduct of officials and all actors in national society, as well as to stipulate penalties when there is a failure to implement those rules. That is why my country fully endorses the proposals contained in the report of the Secretary-General, especially the request made of the Security Council to encourage States that have not yet done so to become party to all the international legal instruments concerning the rights of the child, as well as to work to integrate them into their national legislation so as to ensure their effective implementation. Similarly, we support the recommendation that the Council ensure that the specific provisions with respect to the protection of children continue to be in all of the relevant mandates of United Nations peacekeeping operations. In that regard, I would again like to commend the work being done by the Department of Peacekeeping Operations in that area.

Togo continues to believe that the ongoing perpetration of violations of children's rights in armed conflicts is due to the impunity of the perpetrators. The latter, whoever they are, must be tracked down and arrested, so that they can be held accountable for their acts. We also commend the decision of the International Criminal Court in the *Thomas Lubanga Dyilo* case, which clearly illustrates the efforts of the international community to put an end to the impunity of perpetrators of abuses against children. Identified perpetrators need to be brought to justice, which would presuppose, inter alia, strengthening the national legislation of the countries involved and establishing close cooperation between States in order to restrict the freedom of movement of violators who are being sought. When there is no more impunity or safe haven for the perpetrators and masterminds of serious violations of the rights of the child, our world will be able to hope to put an end to the violence against children in armed conflict.

In conclusion, I would point out that, in voting in favour of resolution 2068 (2012) this morning, my country wished to reaffirm its firm commitment to fighting against the serious violations against children, particularly in situations of armed conflict. That is why we regret that the Council failed to adopt the resolution unanimously despite the efforts undertaken by various parties to reach a consensus on certain key issues. We firmly believe that when it is a matter of issues such as the fate of children in armed conflict, the Security Council should do its utmost to reach the necessary unanimity, which will only lend greater credibility to the text that it adopts.

Mr. Musayev (Azerbaijan): I would like to thank the German presidency for convening today's open debate on children and armed conflict and for its active role and leadership in advancing that significant theme in the work of the Security Council.

We welcome Ms. Leila Zerrougui, the new Special Representative of the Secretary-General for Children and Armed Conflict, to the Council and wish her every success in fulfilling her important and responsible mandate. I would also like to thank Mr. Ladsous, Mr. Lake and Mr. Tolbert for their statements.

Azerbaijan's firm views with regard to the issue under consideration are well known and stem from our keen interest in contributing to the achievement of sustainable peace and development and from our practical experience in addressing the impact of armed conflict on civilians, including children. The war unleashed against my country and the military occupation of our territories has had a considerable impact on, inter alia, humanitarian issues in our country, primarily affecting the most vulnerable groups. Azerbaijan continues to suffer from having one of the highest numbers of refugees and displaced persons in the world, many of whom are children. The most serious crimes of concern to the international community have been committed during the conflict, and not even children have been spared.

Azerbaijan remains deeply concerned by the negative impact of armed conflicts on children and strongly condemns all violations of international humanitarian and human rights law committed against them. We have always been consistent in demanding the strict observance by the parties to armed conflict of their obligations under international humanitarian and human rights law in all circumstances.

Azerbaijan reiterates its commitment to continuing to support the activities of existing United Nations mechanisms aimed at ensuring more effective protection for the rights of children and improving the situation of children affected by armed conflict.

We welcome the growing attention of the Security Council to the topic and support the activity of its Working Group on Children and Armed Conflict. The heightened vulnerability of children in wartime brings an element of urgency, dedication and strong commitment to our protection efforts, which must be free of selectivity and politically motivated approaches and preferences. Azerbaijan knows the role that the mandate of the Special Representative for Children and Armed Conflict must play in that regard. We encourage the Special Representative to fulfil her mandate to attend to the suffering of children in all situations of armed conflict, including, in particular, those of a protracted nature and of prolonged impact on children.

Important steps have been taken in a number of situations of armed conflict to achieve accountability for grave violations of children's rights, including the development of international jurisprudence. However, serious challenges remain. Unfortunately, the violation of international humanitarian and human rights law in some situations of armed conflict has not received attention and response at the international and regional levels. It is obvious that more resolute and targeted measures are required to protect children in situations of armed conflict and to end impunity for the most serious crimes of concern to the international community that have been perpetrated against children.

It is incontrovertible today that no official or political status can cloak the person responsible with immunity for such crimes. Combating impunity is important not only for the purposes of prosecuting such crimes and bringing those responsible to justice, but also for ensuring sustainable peace, truth and reconciliation.

Particular consideration should be given to internally displaced children in terms of ensuring their inalienable right of return and to the implications of illegal policies and practices in situations of foreign occupation for the protection of children's rights. In addition, among the pressing issues requiring urgent attention and action is that of children taken hostage and reported missing in situations of armed conflict. In that context, it is essential to ensure that all appropriate measures are taken to determine the fate of such children, including searching for them and reunifying them with their families, in particular by strengthening international cooperation.

In conclusion, I would like to reiterate that there is a need for more resolute and consistent efforts aimed at addressing existing challenges and finding long-term and sustained solutions to the problems involving the protection of civilians, including, in particular, violations and abuses committed against children in situations of armed conflict.

Sir Mark Lyall Grant (United Kingdom): I thank you, Sir, for convening today's important debate on

children and armed conflict. We welcome the strong leadership that Germany has brought to the issue, both in its role as President of the Council and particularly in its chairmanship of the Working Group on Children and Armed Conflict. I also thank the four briefers for their important statements today.

I would like to take this opportunity to express warm appreciation for the former Special Representative of the Secretary-General, Ms. Radhika Coomaraswamy, for her advocacy and active engagement over the last six years, which resulted in the release, reintegration and protection of countless children across the world.

The United Kingdom welcomes Ms. Leila Zerrougui to her appointment as the new Special Representative of the Secretary-General for Children and Armed Conflict. It is a demanding but extremely important role on a dossier of central importance to the core mission of the United Nations. She will have the United Kingdom's full support, and we look forward to working closely with her.

The latest report of the Secretary-General (S/2012/261) is strewn with evidence of hideous crimes committed against children that cannot be ignored. Thousands of children have been killed or injured by improvised explosive devices, landmines and rocket-propelled grenades. Tens of thousands have been denied access to humanitarian assistance critical to their survival. There are hundreds of examples of attacks on schools and hospitals. There are cases where girls and boys, some as young as six, have been sexually assaulted and raped by armed groups. Children, in some case younger than 10 years old, have been forcibly taken from their families and recruited as combatants, escorts, cooks and porters for armed groups.

In the face of such evidence, our individual and collective ambition on the agenda must remain high. United Nations efforts to help children affected by armed conflict can work, and well. Action plans have resulted in the release and the reintegration of thousands of children recruited and caught up in the fighting. In its verdict against Thomas Lubanga in March, the International Criminal Court issued its first judgement on the issue of child recruitment, setting groundbreaking jurisprudence for future cases and sending a strong message to those who continue to believe that they can safely commit grave violations against children with impunity. In our efforts to address such grave violations, the Special Representative of the Secretary-General and the Council's Working Group are vital tools that must be preserved and supported.

Against that background, we welcome the adoption today of resolution 2068 (2012). It sends an important message of the Council's determination to take forward the agenda of children and armed conflict in an active, forward-looking and wide-ranging manner. The United Kingdom welcomes the fact that the resolution secured strong Council support, spanning all regions. We would have liked the resolution to have been adopted unanimously, and regret that that did not happen.

We disagree with the assertions of some Council members that insufficient efforts were made to find consensus. In our view, extensive negotiations were conducted in circumstances in which some delegations maintained solidly negative positions towards the agenda, proposing amendments whose effect would have been unacceptably to constrain the role of the Special Representative. Significant compromises were made in an effort to reach consensus, but we cannot accept the assertion made by some Council members that the former Special Representative of the Secretary-General overreached her mandate in the conduct of her business. That accusation is completely unfounded.

The United Kingdom remains deeply concerned about the unacceptably high and increasing number of perpetrators of grave violations against children, namely, 32 parties that have been listed for grave violations against children for five years or more. We need an innovative and practical approach to address the increasing number of armed groups that persistently rob children of their futures. We must demonstrate that they will be held accountable for their actions. We should not tolerate such abuse.

We encourage the Security Council and the Working Group to consider what further tools should be available to help bring to justice those who commit grave crimes, threatening the peace, security and well-being of children. Children and armed conflict is an agenda that the Security Council should be consolidating and advancing. Consensus and Council unity are desirable, important and worth striving for, as happened in the negotiations, but they are not ends in themselves. Consensus should not be secured at the expense of an effective approach to the global challenge of children and armed conflict. We must maintain a high level of ambition for the agenda in the United

Nations and elsewhere. We believe that resolution 2068 (2012) gives us the right basis for doing so.

Mr. Tarar (Pakistan): Pakistan welcomes this opportunity to have a frank discussion on the subject. We thank all the briefers for their presentations.

We welcome the appointment of the new Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Leila Zerrougui, who brings with her a wealth of experience for carrying out that mandate. We are confident that she will favour positive and constructive engagement over the approach that led to the unfortunate divergence and controversy related to implementation of the mandate. We stand ready to extend our full support and cooperation to her.

Allow me to begin by explaining Pakistan's vote on resolution 2068 (2012), adopted earlier this morning without consensus. Our delegation constructively engaged in the negotiations and made various proposals, supported by several delegations, to improve the draft text and to reinforce the true spirit of the mandate. Regrettably, those proposals were not accommodated. Contrary to claims by one Council member, the process of consultations also was bereft of openness and a willingness to achieve consensus. In the end, a non-consensual text was presented as a virtual fait accompli. I would like to highlight some of the critical aspects that should have helped in building the needed political consensus on the resolution.

The issue of full observance of or working strictly within the mandate is at the heart of the problem. Pakistan and other delegations had proposed several options to the Chair to address that. However, as referred to in paragraph 1 of the resolution, the issue of the mandate remains vague and inadequately addressed. The unwarranted references in the report of the Secretary-General (S/2012/261) to non-mandated situations reflect the extent of the misuse of such a mandate. A report that deviates from the given mandate cannot be accorded legitimacy. We clearly articulated our position on the reference to the report in the resolution. Discrimination and double standards in the exercise of different mandates is a reality. In order to address that, we proposed a paragraph. However, the proposal was distorted by the sponsors and the Permanent Five as comprehensively protecting children in all situations. That does not reflect the selectivity that exists on the ground in approaching different situations of armed conflict.

We also made proposals expressing concern at the inclusion in the Secretary-General's report of situations that are not in the mandate. We reiterated the need to fully respect the mandate in future reports. Regrettably, those proposals were not accepted.

Separately, the sponsors arbitrarily introduced the element of automaticity as regards annual reports, thus impacting the desired transparency and accountability in the process. Our constructive engagement and compromise proposals were disregarded and the text was pushed through in haste. While we would have voted against the draft resolution owing to our serious concerns over the text, we decided only to abstain to underline our commitment to the mandate and our willingness to work constructively with the Special Representative of the Secretary-General.

I would like to take this opportunity to express our deep appreciation for those members of the Council who shared and showed an understanding of our principle concerns on the issue, as also expresses through their votes on the resolution.

Love for children is a natural phenomenon that cuts across all geographical divisions and transcends any social, cultural or developmental factors. All children are entitled to equal attention and care, as the future of humankind rests on ensuring their well-being. The United Nations Charter therefore rightly starts with the noble objective to save succeeding generations. That aims at ensuring due protection of and the proper investment in the cause of children. Pakistan is fully committed to that objective.

The rights of children need to be protected in all circumstances. However, being a part of vulnerable groups, their rights are adversely affected, particularly during situations of armed conflict. The Security Council created the mandate of children and armed conflict precisely to ensure that the rights of children are also protected in such situations. Pakistan supports the mandate, including its reporting and monitoring procedures on the specific trigger mechanisms.

The reports of the Secretary-General on the subject are an important medium of monitoring and reporting on such situations. Unfortunately, however, recent reports of the Secretary-General have blundered into situations that are outside the scope of the mandate authorized by the Security Council. Such overreach has not only diluted the focus on the core challenges, but

also created undue divisiveness, thus undermining the consensus that exists on this important mandate.

In addition, such adventurism creates legal, political and practical difficulties for both the Secretary-General and the United Nations system as a whole. Most regrettably, the latest report once again contains references to non-mandated situations, in particular, an unwarranted and completely misleading section on Pakistan.

That not only misrepresents the context of Pakistan's law enforcement and counterterrorism measures, but also serves to accord undeserved respectability to terrorists and criminals. That disturbing trend is bringing into disrepute both the intergovernmental body that created the mandate, namely, the Security Council, and the esteemed Secretary-General. Despite acknowledging that specific acts of terrorism mentioned in the report were carried out by the Taliban and Al-Qaida elements, the former Special Representative of the Secretary-General for Children and Armed Conflicts refused even to label them as terrorists in the report.

Similarly, the practice followed by the Office of the Special Representative of the Secretary-General for Children and Armed Conflicts on condemning specific acts of violations of child rights is selective. While they did not lose time in issuing statements regarding acts of terrorism involving children in specific countries, even when those were not situations of armed conflict, the Office is known to have turned a blind eye to the killing of children in actual armed conflict situations. Such selectivity has only led to the strengthening of the belief of Member States that United Nations special procedures need to work more independently and strictly within the carefully crafted and common meaning of their mandate.

It is important to recall here that there is no provision whatsoever in the mandate of the Special Representative of the Secretary-General for Children and Armed Conflicts to report on situations other than those involving armed conflicts. Resolution 1882 (2009) unmistakably links the situations of concern under that resolution to paragraph 16 of resolution 1379 (2001), which asks the Secretary-General to use the trigger mechanisms in the relevant resolutions to list parties in annexes to his reports in situations of armed conflict that are on the Security Council's agenda or others that, in his opinion and in accordance with article 99 of the Charter of the United Nations, threaten the maintenance of international peace and security. Indeed, the tendency of the former Special Representative of the Secretary-General for Children and Armed Conflicts make her own rules and veer away from her mandate led the Security Council in 2011 to ask the Special Representative of the Secretary-General to brief and report to the Security Council on the criteria and procedures used in listing and delisting parties to armed conflict in the annexes of the periodic reports in the Secretary-General's 2012 report.

Despite a very useful discussion on the subject in the Security Council in February of this year, the Special Representative of the Secretary-General for Children and Armed Conflicts failed to reflect that discussion in the 2012 report, yet another manifestation of failing to give due respect to the views of Member States and the intergovernmental process. Nevertheless, we stand ready to engage in a constructive discussion on the need to respect the legal parameters of that mandate and support the activities associated with it. Pakistan wants to strengthen the political consensus around that mandate to ensure better protection of the rights of children in situations of armed conflict by all stakeholders. It is our sincere hope that the new Special Representative of the Secretary-General for Children and Armed Conflicts will interact closely with all Member States in order to better understand their concerns and restore the needed respect for that mandate. Pakistan has also been constructively engaged in the work of the Working Group on Children and Armed Conflict, under the leadership of Germany, and has contributed to expediting its work in a consensual manner.

Let me also make the following additional points. The primary role of States in child protection should be emphasized. Relevant United Nations agencies and mandate holders can support such efforts within their respective mandates. Reinterpretation of the mandate or any expansion of its scope beyond what is authorized by the Security Council is illegitimate and unacceptable.

As reflected in paragraph 2 (b) of resolution 1612 (2005), cooperation with and the participation of national Governments are indispensible to the implementation of the monitoring and reporting mechanism. Information collected through that mechanism must be accurate, objective, reliable and verifiable. Any dialogue established within that framework by the United Nations with non-State actors must be conducted within the framework of

peace processes where they exist and with the explicit permission of the Governments concerned. Listing and delisting criteria should be objective and balanced. The criteria must be finalized as a priority matter by the Secretary-General in full consultation with Member States.

The issue of persistent perpetrators is of concern to all. Concerned Member States must bring to justice those responsible for such violations through national justice systems and, where applicable, through the use of international justice mechanisms. We stand ready to discuss possible further measures to be taken by the Council to address that genuine concern.

To conclude, let there be no doubt that Pakistan condemns in the strongest possible terms any use of children by extremists or any other group to promote their nihilistic agenda and is taking appropriate action to stop such practices. At the same time, we sincerely hope that future reports of the Secretary-General will be high on objectivity and squarely correspond to the given mandate.

Mr. Manjeev Singh Puri (India): Let me, at the outset, thank you, Mr. President, for organizing today's open debate on the issue of children and armed conflict. I want to congratulate Ms. Leila Zerrougui on her appointment as the new Special Representative of the Secretary-General for Children and Armed Conflicts. We wish her great success and look forward to working closely with her. I would also like to thank our briefers today for their statements.

Children constitute a third of humanity, and, I dare say, the most important third, as they represent our future. Being also the weakest and most susceptible, it is imperative that all of us, nationally and as members of the international community, act for their well-being and development. Situations of armed conflict are per se situations of suffering, but children tend to be the worst affected. We therefore firmly believe that the international community has the responsibility, and indeed the obligation, to do its utmost to provide succor to children affected by armed conflict.

We have engaged constructively in the ongoing efforts to make the United Nations more relevant and effective in the area of children affected by armed conflict. We have also actively engaged in the work of the Working Group on Children and Armed Conflict to address the plight of children in situations on the agenda of the Security Council.

As the largest contributor to United Nations peacekeeping operations over the past six decades, Indian peacekeepers have been at the forefront in creating an environment of peace and security in which national authorities can fulfil their obligations towards the most vulnerable sections of those affected by armed conflict. Based on our wide-ranging experience, we wish to stress that the major challenge is the question of resources. While some members of the international community never tire of pushing to expand the mandate, they are unwilling to provide adequate resources even for meeting the requirements of the agreed mandate.

Since the adoption of resolution 1379 (2001), which brought the issue of children and armed conflict to the Security Council's agenda in 2001, significant progress has been made, and the United Nations deserves credit for the same. However, a lot more remains to be done. As the new Special Representative of the Secretary-General for Children and Armed Conflicts commences her work, we think that it is the right time to take stock of the implementation of the relevant resolutions of the Council and consider the way forward. We are sure that today's debate will provide an opportunity to reflect on the functioning of the United Nations processes and mechanisms, and help us identify gaps and address them.

Let me therefore underscore our key concern, which has also found an echo in the words of several representatives that have spoken before me today. We believe that the earlier this is addressed, the better the result will be for children in armed conflict. This will also rebuild the consensus that the issue has enjoyed so far in this Council and, I might add, that is important.

Paragraph 16 of resolution 1379 (2001) requested the Secretary-General to report on situations that are on the Security Council's agenda or that may be brought to the attention of the Security Council by the Secretary-General, in accordance with Article 99 of the Charter, which in his opinion threaten the maintenance of international peace and security. All subsequent resolutions, including resolution 1882 (2009), which makes reference to other situations of concern, draw their legitimacy from paragraph 16 of 1379 (2001). In spite of that clearly spelled-out mandate, the Secretary-General's reports include situations that do not meet the threshold for being an armed conflict or a threat to the maintenance of international peace and security. The fact that the Legal Counsel also has issues with such referencing should have led to the removal of such

situations, not their continued inclusion with a blasé disclaimer. This should be rectified and the mandate strictly adhered to. Mandate creep also distracts from efforts to urgently address the plight of children in situations of armed conflict that are on the Council's agenda, where lack of resources is the critical problem for the relevant United Nations entities.

The monitoring and reporting mechanism of the United Nations envisaged the involvement of and close cooperation with the country concerned. In addition to ensuring the veracity and reliability of data collection, developing such capacity will significantly assist the country concerned in its fight against impunity and in ensuring accountability. It is also important that United Nations access to armed groups is carried out under the cooperation framework between the United Nations and the Government concerned, in keeping with both the letter and the spirit of the Council's resolutions.

It is important that there be regular and substantive consultation between the Working Group on Children and Armed Conflict and the Special Representative of the Secretary-General on the implementation of the relevant resolutions, including of provisions concerning listing, delisting, persistent perpetrators, impunity and accountability, among others.

In conclusion, let me reiterate India's strong support for the United Nations on issues of children and armed conflict, and reaffirm that we will continue to work closely on this with a view to increasing efficiency, cost effectiveness and the impact of United Nations efforts and those of Member States in dealing with this important issue.

Mr. Briz Gutiérrez (Guatemala) (*spoke in Spanish*): We would like to thank Germany for organizing this open debate. We acknowledge its leadership as Chair of the Working Group on Children and Armed Conflict and on resolution 2068 (2012), which we have adopted today. We appreciate the presence of Ms. Leila Zerrougui and her briefing to us, and we take this opportunity to welcome her appointment as the new Special Representative of the Secretary-General on Children and Armed Conflict. We also appreciate the statements by Mr. Ladsous, Mr. Lake and Mr. Tolbert.

We note that 32 out of 52 parties listed in the annexes to the Secretary-General's report (S/2012/261) are persistent perpetrators. The majority belong to non-State armed groups. This raises the question of discussing ways and means to increase pressure on groups that, by definition, we have difficulty reaching. Such parties to conflict have not been affected by being on the naming and shaming list, they are not accountable for their acts and they do not comply with recognized international rules, human rights law or humanitarian law. They are considered as illegal or criminal within their own countries. In addition, they do not seem to care about their reputation or international image. Many of those non-State armed groups oscillate between acting on political motives and fulfilling criminal objectives. Those doing the latter are even less responsive to incentives and deterrents to change their modus operandi in areas under their control.

We therefore believe that the Council must reaffirm its leadership role and its willingness to act against persistent perpetrators, emphasizing the responsibility of those States on whose territory parties to a conflict persistently commit such crimes against children, in order to put an end to impunity and to prosecute those responsible for violations and abuses against children. We must ensure that those States have specific laws that criminalize war crimes, crimes against humanity and genocide, as well as strengthen the capacity of national institutions to prosecute individuals responsible for committing such crimes, especially persistent perpetrators, or referring those cases to international tribunals. For their part, international tribunals have demonstrated their capacity to deal with crimes committed against children. The judgements against Thomas Lubanga Dyilo and Charles Taylor give us hope that we can take action against the impunity of persistent perpetrators.

Another issue that has been thoroughly discussed is the more frequent use of sanctions. Although we are aware of the difficult issues this raises, we support the idea of monitoring the implementation of the sanctions regime, starting with the four sanctions committees that now have criteria defining serious violations against children, namely, those for Côte d'Ivoire, the Democratic Republic of the Congo, Somalia and the Sudan. Further work is necessary to ensure that sanctions are imposed against individuals or entities who commit grave violations against children. We hope that other sanctions regimes, such as those against Al-Qaida and the Taliban, adopt criteria defining serious violations against children. The imposition of sanctions sends a signal to parties who commit such crimes and contributes to greater compliance with the Council's agenda on children and armed conflict.

We hope that the recently appointed Special Representative of the Secretary-General will continue to further strengthen cooperation with the sanctions committees to take action against persistent perpetrators, include the four serious violations in the mandate of all relevant sanctions committee and continue to inform the Security Council and the Working Group on emerging situations that involve children in armed conflict. We should spare no effort to end the unlawful recruitment and use of children by armed forces and non-State armed groups.

With regard to the Working Group on Children and Armed Conflict, we believe that the issue of persistent perpetrators should be an item in its agenda. The Committee should issue recommendations to ensure that grave violators are accountable for their crimes. However, we do not believe that the Working Group should function as a sanctions committee, since that would fundamentally alter its nature. We would like to encourage the Group to achieve its goal of adopting conclusions within two months, in order to keep the cycle of situations on its work plan within an 18-month period.

In conclusion, Guatemala will continue to be committed to the protection of children in armed conflict and the fight against impunity. Addressing the problem of persistent perpetrators is a challenge. It is of the utmost importance that the protection framework that has been established preserve its credibility by putting an end to unacceptable practices.

The President: I shall now make a statement in my national capacity.

At the outset, I would like to very warmly welcome the new Special Representative of the Secretary-General, Ms. Leila Zerrougui, wish her every success and assure her of Germany's full support to her in her assignment. I also want to pay tribute to the dedicated work of her predecessor, Ms. Radhika Coomaraswamy, and her commitment and great achievements. Let me also thank Mr. Ladsous, Mr. Lake and Mr. Tolbert for their impressive briefings.

Germany aligns itself with the statement to be delivered later on during this debate on behalf of the European Union.

We heard it from our briefers: the number of children suffering in armed conflict is still shockingly high.

This is a reminder for us. We have to increase our joint efforts to stop and prevent heinous crimes committed against children. It has to be said that, since 2005, encouraging progress has been made. Twenty action plans have been signed by parties to conflict. Consequently, tens of thousands of child soldiers have been released. This is a remarkable achievement of which the United Nations and the Security Council can be proud.

The recent convictions of Thomas Lubanga and Charles Taylor have made clear that accountability for the recruitment and abuse of children is advancing. But we must not be complacent. There is still reason for concern. The listings of new parties in the Secretary-General's report (S/2012/261) are proof of the seriousness of the problem. New parties have been listed for the recruitment and use of children and for the killing and maiming of children. There have also been first listings for attacks on schools and hospitals.

What can we do better?

First, we should explore ways to improve the existing protection framework. Child protection and child protection training should be an integral part of all peacekeeping and special political missions. In that regard, we strongly commend the efforts of the Department of Peacekeeping Operations and Department of Political Affairs to develop a joint Child Protection Policy. Child protection issues and, in particular, the release and reintegration of children, need to be systematically included in peace negotiations and agreements.

Secondly, we need to address the issue of accountability. Perpetrators of crimes against children need to be held accountable. This goes especially for the alarming number of so-called persistent perpetrators. The Security Council needs to look at new ways to address the issue. The report of former French Ambassador De la Sablière provides a good overview of possible options. Let me mention just two.

One option that Germany favours is that the Security Council increase its political engagement, for example, through sessions dedicated to the issue. The second option we should pursue is that the Security Council make more use of targeted measures against individual perpetrators through sanctions committees, starting with the expansion of existing sanctions committee mandates. We should take those suggestions forward in our future discussions.

Germany is gratified that the Security Council today once again adopted a resolution (resolution

2068 (2012)) that underlines the importance of the work of the Special Representative of the Secretary-General for Children and Armed Conflict, that reiterates the Council's readiness to adopt targeted and graduated measures against persistent perpetrators, and that authorizes annual reports of the Secretary-General.

It goes without saying that we would have preferred a consensus decision on the resolution we adopted today. We regret that some members chose not to support that resolution. We had one week of extensive discussion, and we, as penholder, made an extra effort to accommodate all delegation's concerns. We walked the extra mile, but we could not do one thing — compromise on the integrity of existing and, so far, accepted mechanisms of the United Nations. That would have been irresponsible. I hope that the wish to strengthen the existing United Nations system to protect children in armed conflicts will unite us all, although a few members might have different opinions on the way forward.

In closing, I would like to reiterate Germany's hope that the Security Council will keep up its good work on this important issue. Our ambitions for this agenda must remain high. We owe it to the children. We owe it to them as the most vulnerable group of our society. We owe it to them to spare no effort in enhancing the protection of their rights in armed conflict.

I now resume my functions as President of the Council.

I wish to remind all speakers to limit their statements to no more than four minutes in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate the texts in writing and to deliver a condensed version when speaking in the Chamber.

I now give the floor to the representative of Japan.

Mr. Nishida (Japan): I would like to thank Germany for hosting this open debate on children and armed conflict. Germany has made significant contributions on the issue of children and armed conflict, which include efforts that led to the adoption of the resolution 1998 (2011), and we strongly commend its efforts. The issue is important, not only from the humanitarian perspective of protecting children, but also in terms of peace and security, as the use of child soldiers has tragic consequences. This is why it is extremely important to address the issue at the Security Council.

The Government of Japan warmly welcomes the appointment of Ms. Leila Zerrougui as the new Special Representative of the Secretary-General for Children and Armed Conflict. We also thank the Special Representative; UNICEF Executive Director, Mr. Anthony Lake; Under Secretary-General for Peacekeeping Operations Mr. Hervé Ladsous; and President of the International Center for Transitional Justice, Mr. David Tolbert, for their briefings.

The latest report of the Secretary-General (S/2012/261) includes attacks on schools and hospitals as a listing criterion for the annex I and II lists, and the Government of Japan welcomes this development. Attacks on and unjust occupation of these facilities not only invite the killing and maiming of children, but also deprive children of their right to an education and prevent them from accessing health services, which can have long-term repercussions on society. Such acts must cease immediately.

I would like to focus on the issue of persistent perpetrators and the fight against impunity. It is our grave concern that the number of persistent perpetrators has increased drastically according to the latest Security-General report. Currently, some, though not all, sanctions committees have designation criteria for grave violations against children; however, the De La Sablière report presents various in-depth options to address the issue, including the creation of a thematic sanctions committee. The Security Council should assess the viability of those options and exercise practical measures against persistent perpetrators; otherwise, the annex lists will be at risk of losing substance.

The role of judicial organizations is also very critical. This year, the Special Court for Sierra Leone found Charles Taylor guilty for such crimes as the recruitment and use of child soldiers. This is a significant advancement in the fight against impunity. Also, the International Criminal Court (ICC) found Thomas Lubanga guilty of the war crime of conscripting and enlisting children or using them to participate actively in hostilities during domestic conflicts in the Democratic Republic of the Congo. This is a milestone sentence in strengthening the rule of law, given that it is the first sentence since the establishment of the ICC 10 years ago.Furthermore, let me underscore that the Security Council, which is authorized to refer a case to the ICC, and the ICC, which conducts the investigation, prosecution and trial, need to deepen

substantive dialogue between each other, collaborate more constructively and build a relationship where each is accountable to the other.

More than a decade has passed since the issue of children and armed conflict was included in the Security Council agenda in 1998. From those discussions we saw emerge a series of structural developments, including the creation of the annex lists and action plans. It is now necessary that we implement those mechanisms.

In that regard, the Government of Japan welcomes the signing, in June, of an action plan for the release and reintegration of children associated with the Government forces in Myanmar, as well as the signing, in July, of an action plan by the Somali Transitional Federal Government to end the recruitment and use of children. We also highly commend the efforts of former Special Representative Radhika Coomaraswamy in conducting a number of field trips to hold dialogues with various parties and bring about tangible results.

Japan was a sponsor of resolution 2068 (2012), and we welcome its adoption.

The President: I now give the floor to the representative of Brazil.

Mrs. Dunlop (Brazil): I congratulate you, Mr. President, for convening this debate.

I would like to thank Under-Secretary-General Hervé Ladsous for his briefing. I also convey to Special Representative Leila Zerrougui our best wishes in her new and very demanding job and thank her for her presentation. I am also grateful to Mr. Anthony Lake and Mr. David Tolbert for their informative remarks.

Attacks on children hurt the most vulnerable in any armed conflict, and severely impact precisely those who are key to fostering sustainable peace. The international community needs to persevere in finding ways to prevent children from bearing the brunt of wars that adults choose to fight.

The Council has established a comprehensive framework to protect children in situations of armed conflict. The concrete results achieved through tools such as the monitoring and reporting mechanism and the Working Group on Children and Armed Conflict must both be commended.

As indicated in the latest report of the Secretary-General (S/2012/261), we have recently witnessed significant steps towards greater accountability for perpetrators of grave violations against children. The verdict of the International Criminal Court condemning Thomas Lubanga sent a powerful message to those who commit crimes against children in armed conflict. It attests to the international determination to fight impunity and bring to justice those who commit such horrific crimes. The increase in the number of sanctions regimes that include designation criteria governing grave violations against children also shows that the Council is committed to acting against perpetrators when their actions pose a threat to international peace and security.

Although children have particular needs and vulnerabilities, the development of a specific legal regime for the protection of children in armed conflict must remain within the scope of broader international humanitarian law and should be consistent with other legal mechanisms aimed at protecting civilian populations as a whole.

In 2010, as Chair of the Sanctions Committee on the Democratic Republic of the Congo, Brazil organized the first briefing ever to such a committee by a Special Representative for Children and Armed Conflict. We were guided by Brazil's firm belief that improving cooperation between the Office of the Special Representative of the Secretary-General and relevant sanctions committees would strengthen the Council's response to persistent perpetrators.

However, the Council should be careful when considering coercive measures in the field of children and armed conflict in contexts for which no sanctions regime exists. As we all know, measures under Chapter VII of the Charter can be adopted only in cases that constitute a threat to international peace and security, as determined by the Security Council. It is therefore a matter of concern for Brazil that some situations that are not armed conflicts are being mentioned in reports on children and armed conflict.

While we strive to improve accountability for grave violations committed against children in conflict situations, attention should also be given to the imperative of ensuring that States receive resolute support and cooperation for strengthening the rule of law.

We often hear calls for the Council to take bolder decisions. The plight of innocent children surely amplifies that call. Nonetheless, we must avoid the

temptation to associate "bolder decisions" with a merely punitive approach.

There is only so much that can be achieved through naming and shaming mechanisms and the imposition of sanctions. We must not lose sight of the importance of cooperating with Governments and parties to conflicts in order to find sustainable solutions for the protection of children.

In the same spirit, Brazil fully endorses the Secretary-General's call for support to the sustainable, long-term reintegration needs of children in the context of the implementation of action plans, including economic reintegration. To ensure that children affected by conflict are able to participate in efforts to build peaceful and prosperous societies, we need to offer them the opportunity to be fully reintegrated.

Furthermore, as rightly pointed out by the former Special Representative of the Secretary General in her last annual report to the Human Rights Council (A/HRC/21/38), it is also necessary to tackle the structural causes that lead to the recruitment of children by armed groups. Evidence suggests that there is a strong association between recruitment into armed forces and poverty. In fact, social exclusion has been found to stir frustration among youth and to create significant incentives to join armed groups.

Improving children's living conditions and providing them with alternatives, particularly through education, can significantly contribute to preventing their recruitment by armed groups, thereby breaking the vicious cycles of conflict.

The President: I now give the floor to His Excellency Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations.

Mr. Mayr-Harting (European Union): I have the honour to take the floor on behalf of the European Union and its member States. The acceding country Croatia, the candidate countries the former Yugoslav Republic of Macedonia, Montenegro and Serbia, the countries of the Stabilization and Association Process and potential candidates Albania and Bosnia and Herzegovina, as well as Ukraine, the Republic of Moldova, Armenia and Georgia, align themselves with this statement.

Let me begin by thanking you, Mr. President, and the German presidency for organizing this very important debate and for the leadership you have constantly shown on this issue. The European Union is very grateful for Germany's efforts, initiatives and continuous endeavours, including in the Security Council Working Group that you, Sir, chair.

Allow me to use this opportunity to express our appreciation to former Special Representative of the Secretary-General Radhika Coomaraswamy for her highly esteemed work. Her relentless effort has contributed immensely to the progress we witnessed during her mandate. I would also like to warmly welcome the new Special Representative, Ms. Leila Zerrougui, and to assure her of the full support of the European Union.

The annual report of the Secretary General on children and armed conflict (S/2012/261) reminds us of the importance of the Security Council's work on that issue, which we highly appreciate. We have seen continuous progress in many aspects and different regions — for example, through the conclusion of several action plans leading to the release and subsequent reintegration of children. Still, we have also witnessed deterioration in other places, such as Syria, where many children are among the victims of egregious crimes and where the tremendous suffering of girls and boys has been going on for much too long. As long as children still suffer from armed conflict, we are reminded that we have to further intensify our work.

It is of special significance to us that for the first time the Secretary-General included attacks on schools and hospitals in his annual report, in accordance with the expanded list of triggers from last year's ground-breaking resolution 1998 (2011). That expansion of triggers and their effective implementation means concrete progress for the instruments at the disposal of the Security Council's Working Group, thereby contributing effectively to improving the situation for the children concerned.

The reports of the Secretary-General and the Special Representative of the Secretary-General on Children and Armed Conflict also illustrate the severe problem of persistent perpetrators — an issue that increasingly needs our particular attention. While it is essential to continuously name the relevant conflict parties, the Security Council also has to look for effective ways to take action, combat impunity and prove that the 32 persistent perpetrators currently listed will eventually be held accountable for their heinous crimes, including by imposing targeted sanctions. Let us not accept impunity. Encouraging steps have been

taken by the International Criminal Court, for example by the recent judgment in the Lubanga trial on the war crime of conscripting and enlisting children under the age of 15 and making them participate actively in hostilities.

The recommendations of the former Permanent Representative of France to the United Nations, Ambassador De la Sablière, upon the request of the Special Representative, provide interesting food for thought in this context. The toolbox of the Security Council's Working Group needs to be applied, with effective links between the Working Group, the Special Representative of the Secretary-General and the existing sanctions committees. Especially when establishing or renewing the mandate of relevant sanctions regimes, it should be considered to include provisions against parties to armed conflict that engage in activities in violation of applicable international law relating to the rights and protection of children in armed conflict. Dialogue and increased political pressure and cooperation with national and international courts will also be important. Furthermore, we encourage the Council to regularly invite the Special Representative to provide briefings on situations of armed conflict that affect children.

The implementation of existing commitments is crucial. Let me update the Council on some of the steps taken by the European Union to contribute to our common goal. High Representative Ashton has named the rights of the child as one of the three priorities in her joint communication on human rights. Consequently, the EU is systematically including child protection issues in all EU foreign policy missions, operations and training ,and has committed to further step up its implementation. The European Union has spent €200 million in 2009-2012 on assistance to children and armed conflict in the countries listed in the Secretary-General's report. To cite just one example, the EU's police mission in Afghanistan provided training on child protection, and in the Democratic Republic of the Congo the European Union has cooperated with the United Nations and local police in child protection and juvenile justice projects.

The humanitarian work of the EU also aims at protecting children in conflict-affected areas. We continue to strongly support the universal ratification of the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and the sale of children, child prostitution and child pornography. Those are just some of the examples of our dedication in this field.

Far too many children in too many parts of the world still suffer every day from the effects of armed conflict or are directly involved as child soldiers. Children should attend school, play with their peers and be able to enjoy their childhood without suffering from the effects of war and armed conflict. Let us do our outmost to further improve their lives by intensifying the use of the instruments at the disposal of the Security Council.

The President: There are still a number of speakers remaining on my list for this meeting. I intend, with the concurrence of the members of the Council, to suspend the meeting until 3 p.m.

The meeting was suspended at 1.20 p.m.

United Nations S/PV.6838 (Resumption 1)

Security Council

Sixty-seventh year

Provisional

6838th meeting
Wednesday, 19 September 2012, 3 p.m.
New York

President:	Mr. Wittig	(Germany)
Members:	Azerbaijan	Mr. Mikayilli
	China	Mr. Xing Jisheng
	Colombia	Mr. Quintana
	France	Mr. Caboché
	Guatemala	Ms. Taracena Secaira
	India	Mr. Amit Kumar
	Morocco	Mr. El Mkhantar
	Pakistan	Mr. Ahmad
	Portugal	Ms. Vaz Patto
	Russian Federation	Mr. Lukiyantsev
	South Africa	Mr. Laher
	Togo	Mrs. Balli
	United Kingdom of Great Britain and Northern Ireland	Mr. Wilson
	United States of America	Mr. Lord

Agenda

Children and armed conflict

Increased accountability for violations and abuses committed against children

Report of the Secretary-General on children and armed conflict (S/2012/261)

Letter dated 6 September 2012 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General (S/2012/685)

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The meeting resumed at 3.10 p.m.

The President: I wish to remind all speakers to limit their statements to no more than four minutes in order to enable the Council to carry out its work expeditiously.

I now give the floor to the representative of Israel.

Mr. Prosor (Israel): I want to begin by extending Israel's thanks to Under-Secretary-General Radhika Coomaraswamy, who worked tirelessly to protect children throughout her tenure as Special Representative of the Secretary-General. Although we did not always agree, Ms. Coomaraswamy provided a unique model of professionalism and leadership within the United Nations system.

I would also like to congratulate Ms. Leila Zerrougui on her appointment as the new Special Representative of the Secretary-General for Children and Armed Conflict. We look forward to working with her closely and with her staff to further the important mission.

In too many corners of the world today, children are scarred by hate, not sheltered by love. They are exploited in conflict, not protected by law. They are targeted with violence, not treated with care and compassion. In his report (S/2012/261), the Secretary-General offers numerous important recommendations for action. We echo his call on all States to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Targeted measures should be put in place against persistent perpetrators of grave violations against children, who are listed in the annexes to the annual report.

United Nations peacekeeping operations should incorporate specific provisions for the protection of children. The consequences of inaction are clear. When we fail to protect children, we fail to protect our future. And today, the world is failing to protect the children of Syria from the guns, tanks and fighter jets of the brutal regime of Al-Assad.

Over the summer, an 11-year-old Syrian boy named Ali Adil Sayyid spoke to the German magazine Der Spiegel. He told the magazine of the night that Al-Assad's forces massacred his entire family in Houla. He said,

> "I woke up again just before 4 a.m., when men came into the house. My brother and I were lying in the living room. When my sister Rasha tried to run away, one of the men shot her. My brother Adil was still sleeping when a man shot at him ... The man also shot at me, but he didn't hit me. I rolled over on my side and played dead."

Ali was the only member of his family to survive. An estimated 20,000 others in Syria have shared the fate of his family, including thousands of children. The stories coming out of Syria are a stain on the conscience of the world. The children of Syria cry out to us. It is time for the world to hear their call.

I speak before the Council today not only as the Permanent Representative of the State of Israel, but also as a father. I am very proud that I have raised my three children — Lior, Tomer and Oren — in Jerusalem. Yet they grew up in a reality where abnormality became the norm. From infancy, they saw that every school, every kindergarten had to be protected by an armed guard. After watching them climb onto a school bus every morning, my wife and I waited with anticipation, until they had arrived safely at their destination. With every siren, we felt the same sense of anxiety.

For more than a decade, terrorists in Gaza have been deliberately targeting our children with rocket attacks on schools, playgrounds and densely populated civilian areas. This month, Israel's children started their school year with the all-too-familiar sounds of exploding rockets. Every morning, the parents of southern Israel wake up not knowing whether their children will spend the day in a classroom or a bomb shelter. This is the life that Israeli families live, day in and day out.

The international community cannot accept this abnormality as a normal way of life. No family, no child should live under those circumstances. Yet this Council has not yet uttered a word about those attacks. The silence speaks volumes. There is no monopoly on the suffering caused by terrorism. All of the children in our region suffer. Hamas and other terrorist groups deploy minors as suicide bombers. They use children as human shields. They use Palestinian schools to launch rockets at Israeli schools.

Across the Middle East today, terrorists and extremists are poisoning the minds of the next generation, teaching them to hate, vilify and dehumanize Israelis and Jews. In Gaza, kindergarten graduations feature plays where five-year-old children

pretend to be jihadists and suicide bombers. This hate, anger and intolerance have exploded across the Middle East over the past week. The deadly attacks and riots outside embassies across the region show the danger of turning a blind eye to extremism. Those who teach fanaticism today are creating a tinder box that will inevitably ignite tomorrow.

The international community has a clear duty to end this culture of incitement. We need education that promotes peace instead of hate, tolerance instead of violence, and mutual understanding instead of martyrdom. The Jewish philosopher Martin Buber said that "youth is the eternal chance for the bliss of humanity". With each new generation, society has the opportunity to start afresh. With each child, we have the chance to plant the seeds of a more prosperous and peaceful future. The United Nations has a duty to plant such seeds to shield children from the poison of hate and protect them wherever they are threatened.

The President: I now give the floor to the representative of Canada.

Mr. Rishchynski (Canada) (*spoke in French*): Allow me to thank you, Sir, for providing me with the opportunity to participate in today's Security Council debate.

(*spoke in English*)

At the outset, allow me to state, in our capacity as Chair of the Group of Friends on Children and Armed Conflict, that the 38 States members of the Group of Friends, representing all five regional groups of the United Nations, reaffirm in the strongest terms their support for the work of the Security Council to ensure the full protection of children from the grave violations committed against them in armed conflicts. Since the adoption of the first resolution on that specific issue in 1999 (resolution 1261 (1999)), the Council has established a unique and robust system of protection through no less than eight consensus resolutions and countless presidential statements.

The Group of Friends welcomes the recent appointment of Ms. Leila Zerrougui as Special Representative of the Secretary-General for Children and Armed Conflict, and looks forward to working closely with her and her office. The contributions of the Special Representative to the work of the Security Council are fundamental to its work. We call on the Security Council to ensure that she regularly and directly briefs the Council and its Working Group on Children and Armed Conflict, including on emerging situations such as Libya, Syria, the eastern Democratic Republic of the Congo and northern Mali.

(*spoke in French*)

The Group of Friends also welcomes the recent annual report of the Secretary-General on children and armed conflict (S/2012/261). Reporting on an annual basis ensures that the Council is regularly seized of this matter and better able to protect children affected by armed conflict and hold perpetrators accountable. The Group of Friends firmly believes that the Secretary-General must continue to provide an annual report on children and armed conflict to the Council, including the two annexes therein that list the parties that recruit or use children, kill or maim them, commit rape or other forms of sexual violence against them or engage in attacks on schools or hospitals. The listing of perpetrators, the monitoring and reporting mechanism on children and armed conflict established by resolution 1612 (2005), the dialogues and resulting action plans, the efforts of the Special Representative, and the work of UNICEF, working groups and various other partners in the field, form the well-established international framework to better protect the world's children caught in conflict.

Finally, the Group of Friends believes that the issue of persistent perpetrators is one of the fundamental challenges for this protection framework. More than half of the parties on the Secretary-General's list are chronic violators of children's rights. To put it another way, they have been on the list for more than five years. The Group of Friends urges the Security Council to take action to ensure that grave violations against children are punished by sanctions.

(*spoke in English*)

In an international environment, where persistent perpetrators of serious crimes against children affected by conflict are not held to account, the Council must protect the framework for action it has established and strengthen it.

I will now speak in my national capacity.

This year's report of the Secretary-General continues to document grave violations and abuses being committed against girls and boys, including the killing and maiming of children, rape as a weapon of war and attacks on schools and hospitals. Such despicable

actions must be stopped. Canada remains deeply committed to the work of the Security Council on this issue. Since the establishment of the groundbreaking and comprehensive monitoring and reporting mechanism, and the adoption last year of resolution 1998 (2011), the data and evidence for grave violations against children have improved. As a result, more perpetrators have been held accountable, including with respect to attacks on schools and hospitals. Canada encourages the Council to continue to strengthen the existing mechanisms, abide by its obligations and address the remaining accountability gaps at the global and country level.

(*spoke in French*)

In the light of the situation of children in Syria, it is clear, as mentioned in the report, that additional steps must be taken. Canada is deeply concerned about the reports from that country of gratuitous killings, torture, sexual violence and the use of children as human shields. We again urge the Council and the international community to stand together against such acts. Unfortunately, Syria is only one example of countries where such violence reigns.

Canada is also deeply concerned about the growing number of persistent perpetrators committing grave violations against children. Of the 52 parties named in the Secretary-General's report, 32 have been listed for more than five years. We must do more to hold both State and non-State actors accountable.

(*spoke in English*)

In that regard, we commend the Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire, the Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo, the Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, and the Committee established pursuant to resolution 1591 (2005) concerning the Sudan for including grave violations against children as part of their sanctions criteria. We urge the Security Council and its relevant sanctions committees to take tangible steps to systematically impose sanctions and targeted measures aimed at holding perpetrators accountable for committing grave atrocities such as the killing and rape of girls and boys.

In conclusion, Canada welcomes the actions taken by many countries this year. They include the signing of an action plan on the recruitment and use of children by the Transitional Federal Government of Somalia. Similarly, we look forward to the signing of an action plan by the Government of the Democratic Republic of the Congo, and we call on other States to follow suit. Action plans provide a structured approach and impetus to parties to conflict aimed at ensuring the release of children and an end to the practice of their recruitment and use within a deadline. The impact of such plans is evident, for instance, in the progress that has been made in Sri Lanka, Nepal and Uganda in the past few years, leading to the release and reintegration of thousands of children.

The President: I now give the floor to the representative of Argentina.

Mr. Estreme (Argentina) (*spoke in Spanish*): I would first like to thank Mr. Ladsous, Mr. Lake and Mr. Tolbert for their statements. I would also like to thank Ms. Zerrougui for her briefing and to congratulate her on her recent appointment as Special Representative of the Secretary-General for Children and Armed Conflict. And I would like to take this opportunity to express my country's gratitude for the tireless work of her predecessor, Mrs. Radhika Coomaraswamy, in fulfilling her mandate.

Similarly and before addressing the matter at hand, I would like to take this opportunity to acknowledge you, Mr. President, and the German delegation for the special attention you have given to this issue, not only in organizing this debate but also in supplying the impulse that led to the adoption of resolution 1998 (2011) during the previous German presidency of the Council and now to the adoption of resolution 2068 (2012) today, as well as in the commitment that Germany has shown in leading the efforts of the Working Group on Children and Armed Conflict since last year.

There is no doubt that the United Nations in general, and the Security Council in particular, has made significant progress over the past 10 years in the area of the protection of children in armed conflicts. The framework set up by resolution 1612 (2005), which led to the establishment of the monitoring and reporting mechanism and the creation of the Working Group, and which also promoted the design of action plans, through which the parties can commit to ending their criminal practices, has had tangible results that are genuinely reflected in the number of children who have been released and reintegrated, and in the delisting of parties to conflicts that had previously been included on those lists.

However, as on previous occasions when we addressed this issue, the Council is once again dealing with new challenges and must make important decisions in order to continue to improve the existing protection system. In that regard, we welcome the initiative to convene a debate that focuses on the issue of accountability for persistent perpetrators. The Council must develop a response to the challenge that is posed by the existence of actors who, in spite of repeated calls and warnings made by the international community, continue to commit the same grave violations against children, thus calling into question the effectiveness of the system and, ultimately, the very authority of the Council, which on numerous occasions has expressed its readiness to take targeted and incremental measures against those who continue to perpetrate such acts.

In response to this concern, both the most recent report of the Secretary-General on the issue (S/2012/261) and the report produced by Ambassador Jean-Marc de La Sablière at the request of the Special Representative of the Secretary-General provide interesting recommendations on how to address the issue. We believe that all the recommendations should be discussed in depth and none discarded out of hand, with the aim of putting into practice the alternatives that are most appropriate for persuading and pressuring those parties to conflicts who have repeatedly resisted it to engage in dialogue, to negotiate, to implement action plans and, ultimately, to radically change their behaviour.

In this short space of time it is impossible to comment on all of the recommendations in the reports. However, we understand that there are a number of suggestions that could be implemented in the short term and that have the potential to produce tangible results, among which I would like to single out the following: the convening of specific Council consultations aimed at addressing persistent perpetrators, and the application of designated criteria for serious violations of children's rights in all of the relevant existing sanctions regimes, as is currently the case with those concerning Somalia, Côte d'Ivoire, the Democratic Republic of the Congo and the Sudan, without forgetting the more difficult discussion of how to impose sanctions in cases where no such regimes exist.

Taking advantage of the momentum created by the handing down by the International Criminal Court of the verdict in the Lubanga case and the important doctrinary contribution that that verdict represents, the Council could explore various forms of cooperation with the Court in order to bring pressure to bear on individuals and entities, with strict respect for its judicial independence and in the context of the legal competencies of both entities.

As we have said previously, the gravity and complexity of the issue mean that all options aimed at improving the system require in-depth analysis. Argentina, as a member of the Council, participated actively in the 2005 negotiations that led to the adoption of resolution 1612 (2005), convinced of the need to implement specific measures to protect children affected by armed conflict and committed to the promotion and protection of human rights, which is one of the pillars of its foreign policy. These same convictions and principles will underlie our participation in future discussions.

The President: I now give the floor to the representative of Italy.

Mr. Ragaglini (Italy): I wish at the outset to thank you, Mr. President, for having convened this open debate on children and armed conflict. Let me take this opportunity to commend your country's chairmanship of the Security Council Working Group on children and armed conflict. I join other speakers in welcoming the appointment of the new Special Representative of the Secretary-General, Ms. Leila Zerrougui, and express Italy's support for her mandate. Lastly, I thank the Under-Secretary-General for Peacekeeping Operations, Hervé Ladsous, and UNICEF's Executive Director, Mr. Anthony Lake, for their commitment to defending and promoting the rights of children victims of armed conflicts, as well as the President of the International Center for Transitional Justice, Mr. David Tolbert, for bringing his organization's important perspective into our discussions.

Italy endorses the statement delivered by the observer of the European Union. It also supports the comments made by the representative of Canada on behalf of the Group of Friends on Children and Armed Conflict, of which Italy is a member.

As a constant advocate of greater Security Council action to address the scourge of children in armed conflicts, Italy welcomes the progress made in recent years in strengthening the protection framework. Resolution 2068 (2012), adopted today and of which Italy was a sponsor, confirms this trend. Yet much remains to be done, and there is no time for setbacks.

We thus call on Security Council members to remain committed to advancing this critical agenda.

Italy welcomes the Secretary-General's report (S/2012/261), which remains an essential instrument for guiding the action of the international community. We appreciate this year's adoption of new action plans by a number of Governments, including those of South Sudan, Myanmar and Somalia. Action plans have proved instrumental in putting an end to violations against children. In particular, we congratulate the Somali authorities on the recent signature of an action plan against the killing and maiming of children. We call on all Governments to give concrete follow-up to their commitments, since sustainable funding for the release and reintegration of children associated with armed forces and armed groups is also critical.

Despite those positive notes, the picture is worrisome. In too many parts of the world, violations against children are carried out in a climate of impunity. I wish to highlight in particular the situation of girls, who are often exposed to unspeakable violence. We are also extremely concerned by the grave violations against children committed in Syria. The international community must not remain silent or inactive. The perpetrators of those crimes must know that they will be held accountable for their actions.

That brings me to the alarming increase in the number of persistent perpetrators, which is cause for great concern. Impunity undermines the credibility of the protection system created by the Security Council. The Council must step up its political engagement in this field. Cooperation with national and international courts is also crucial. The convictions of Thomas Lubanga by the International Criminal Court and of Charles Taylor by the Special Court for Sierra Leone highlight the leading role that courts can play in furthering child protection and promoting deterrence. We recommend more targeted measures against individual perpetrators; existing sanctions committees should be asked to consider violations against children in their mandates. The Council should also regularly invite the Special Representative to provide briefings on situations of armed conflict that affect children.

The engagement of the entire United Nations system is critical to ensuring the implementation of the architecture created by resolution 1612 (2005). That is why we commend the efforts made by the Department of Peacekeeping Operations, in cooperation with the Office of the Special Representative for Children and Armed Conflict, UNICEF and Save the Children, to develop a comprehensive and systematic training programme on child protection and child rights for all peacekeeping personnel, an initiative Italy has supported since its inception.

Let me conclude by repeating the call for firm and united action by the international community and by the Security Council. We have a solid protection framework to implement. Any boy or girl that we save from the scourge of war represents hope for a better future. Let us never forget this when we discuss the situation of children affected by armed conflict.

The President: I now give the floor to the representative of Mexico.

Mrs. Morgan (Mexico) (*spoke in Spanish*): Allow me to thank you, Mr. President, for having convened this debate.

First and foremost, I should like to welcome Ms. Leila Zerrougui, in her post as the new Special Representative of the Secretary-General for Children and Armed Conflict. She can count on my delegation's support in this new undertaking. I should like also to take this opportunity to thank and commend Ms. Radhika Coomaraswamy for her extraordinary work. I wish also to express my gratitude for the presentations made this morning and for the report of the Secretary-General (S/2012/261), which details the progress made and the outstanding challenges in this area.

The protection of children in armed conflict is a matter of great importance to Mexico. Children are the weakest link of society, and we must therefore spare no effort to ensure that they are not caught up in the spiral of violence created by armed conflict.

The Security Council has developed a series of mechanisms to meet this humanitarian challenge. The key objective of those actions must be to ensure the accountability of perpetrators and the non-recurrence of such acts through an assessment of the progress made by the parties involved and, where appropriate, the action taken in the context of international justice.

In that regard, we have before us the verdict handed down by the International Criminal Court in March 2012 against Thomas Lubanga, which creates a positive precedent and contributes to the progressive development of international case law to deter and prevent violations of the rights of children.

We have witnessed important successes in this area. For example, various parties to conflicts have been removed from the lists contained in the reports of the Secretary-General, and thousands of boys and girls who had been recruited by armed groups have been returned to their communities of origin.

At the same time, we continue to face significant challenges. We are concerned about the increase in the number of children maimed or killed as a result of indiscriminate attacks and through the use of methods and means of combat that are prohibited under international humanitarian law.

The Security Council has an array of tools at its disposal that it must continue to use, in particular in order to address the challenge posed by of persistent perpetrators, as indicated by the Secretary-General in his report. Thus we call on this organ to strengthen the mandates of peacekeeping operations, political missions and peacebuilding missions in order to ensure the protection of children, recognizing the important contribution made by advisers in the field of child protection.

We encourage the Security Council Working Group on children and armed conflict to continue to use all instruments available to it and to continue to carry out visits to the field in order to garner more first-hand information concerning this scourge.

Finally, we commend the work of the four sanctions committees that have included grave violations of the rights of children in the criteria for their work, and we support the recommendation made by the Secretary-General that the other committees adopt similar parameters.

We recognize the work of the German delegation in leading the Working Group on Children and Armed Conflict and we support the impetus that it has given to the discussion of the subject. The resolution adopted this morning (resolution 2068 (2012)) will make it possible to take stock of the progress achieved and of gaps in action needed in the field.

However, it is a matter of concern that the Security Council was unable to draw on the unanimous support of its members to adopt a resolution on a matter that has always enjoyed consensus. We regret that the haste and the inflexibility of a number of States prevented the resolution from getting the number of supporters and sponsors that it had garnered on previous occasions. That is further proof of the urgent need to reform the working methods of the Security Council in order to ensure that they are more transparent and accessible and truly reflect the interests of the international community.

We express the hope that in the future the Security Council will be able to continue to work constructively to meet the legitimate needs of children who are involved in armed conflicts against their will.

The President: I now give the floor to the representative of Luxembourg.

Ms. Lucas (Luxembourg) (*spoke in French*): Luxembourg warmly welcomes the organization of today's open debate on the fate of children in armed conflicts, which allows the Council to renew its commitment to an issue that deserves our undivided and continuing attention.

I fully align myself with the statement made by the representative of the European Union. In my national capacity, allow me to support those who have hailed the tireless efforts of Ms. Radhika Coomaraswamy in her capacity as Special Representative of the Secretary-General. Under her leadership, important progress was made in the protection of children in armed conflict. My delegation would also like to take this opportunity to wish her successor, Ms. Leila Zerrougui, all the best in her new position. We are convinced that Ms. Zerrougui's long-standing experience in the field of human rights and her advocacy in favour of strengthening the rule of law and the protection of vulnerable groups will make her a committed Special Representative who will aptly promote the protection of children in armed conflicts. Finally, I would like to thank Germany for the important work it has accomplished at the helm of the Council's Working Group on Children and Armed Conflict.

Since the last open debate (S/PV.6581), the issue of children in armed conflicts has made significant strides forward. First of all, we would welcome successes in combating impunity. Since the verdicts issued by the International Criminal Court and the Special Court for Sierra Leone earlier this year, those responsible for the recruitment of children under the age of 15 — be they Heads of State or warlords — know now that their crime will not go unpunished. As a matter of fact, it is not only the judgments that matter, but also the case law derived from them; by rebutting the dividing line between voluntary and forced recruitment and by giving a broad interpretation to the concept of "active

participation in hostilities", the International Criminal Court has put a stop to all the deceptive tricks that those who are guilty of those crimes have tried to invoke in order to deny their responsibility.

Among other positive developments, I would also like to stress progress made in the conclusion of action plans. In 2011 and 2012, action plans were signed with eight parties and a ninth is about to be signed with the Government of the Democratic Republic of the Congo. Following the full implementation of their action plans, two parties to the conflicts in Nepal and in Sri Lanka have been removed from the so-called lists of shame, which in our mind proves the usefulness and effectiveness of the system of annexes to the reports of the Secretary-General. With its resolution 1998 (2011) of 12 July 2011, the Council widened the criteria for inclusion in the annexes, which now must take into account attacks perpetrated against schools and hospitals. We welcome that development in particular, given the scale of such attacks in recent years.

The progress in the protection of children in armed conflicts should not, however, lead us to lose our focus on the matter. While much has been done in the area over the past few years, much remains to be done over the next few years. A worrisome increase in the number of perpetrators that persist in committing serious human rights violations against children reminds us that there are too many parties that still consider themselves to be out of the reach of international justice.

Reports, including that of Mr. De La Sablière, have noted specific measures to be applied. I shall cite just a few of them. Additional resources are needed for monitoring the application of action plans as well as for the socioeconomic reinsertion of children associated with armed forces and groups. In that regard, increased synergy with the Peacebuilding Commission (PBC) would be useful, given the efforts undertaken by the PBC in the areas of security sector reform and youth employment. Furthermore, we understand closer cooperation with national and international courts to imply tackling persistent perpetrators in an effective manner. Finally, to ensure that those measures have the greatest possible effectiveness, the possibility of imposing sanctions on responsible parties is an important tool.

Nevertheless, none of the aforementioned measures will be effective without the strong political commitment of the Security Council. We trust that the Council will continue along the path it began 10 years ago, putting an end to the violations of children's basic rights. Luxembourg stands ready to do its part. Our co-sponsoring of the resolution adopted this morning is proof of that.

The President: I call on the representative of Switzerland.

Mr. Seger (Switzerland): I take the floor today wearing not only my traditional bowtie, but also two hats — one as the speaker on behalf of the Human Security Network and the other as the representative of Switzerland, speaking in my national capacity.

Let me start by speaking on behalf of the Human Security Network, which is an informal group of States that advocates a people-centred, holistic approach to security, complementing the more traditional understanding of national and international security. Its membership includes Austria, Chile, Costa Rica, Greece, Ireland, Jordan, Mali, Norway, Panama, Slovenia, Thailand, with South Africa participating as an observer, and my own country, Switzerland.

Let me take this opportunity to thank you, Mr. President, for convening this important open debate, which is on one of the priority issues for the Human Security Network since its inception. Let me also take this opportunity to thank former Special Representative of the Secretary-General Radhika Coomaraswamy for her tireless efforts to protect children from the devastating effects of armed conflict. We appreciate the results of the process over the last six years under the former Special Representative, including the signing of numerous action plans, the freeing of 10,000 child soldiers and the abolition of child soldiering by almost all national authorities, and we look forward to the further development and strengthening of the monitoring and reporting mechanisms. I would also like to take this opportunity to warmly welcome the new Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Leila Zerrougui. We congratulate her on her recent appointment and wish her courage, strength and perseverance for the important work that lies ahead. In the Network's view, the contributions of the Special Representative to the work of the Security Council are fundamental to the Council's work. We thus encourage the Council to invite her to regular briefings in order to promote substantive and interactive discussion.

The Human Security Network welcomes the submission of the Secretary-General's recent annual

report (S/2012/261), including the listing of perpetrators and the highlighting of persistent perpetrators. The monitoring and reporting mechanisms, the dialogues and resulting action plans, the work of UNICEF, the task forces and the recognized partners are all part of the well-established international framework for the protection of children in armed conflict.

The Human Security Network is also pleased with the work undertaken by the Security Council. It has resulted in a strengthened protection framework for children in armed conflict, as last seen by the inclusion of attacks against schools and hospitals as a trigger in the monitoring and reporting mechanism last summer (see resolution 1998 (2011)).

Yet, sadly, the issue of persistent perpetrators of grave violations against children remains of deep concern. As of today, 32 of the 52 parties listed for grave violations against children qualify as persistent perpetrators. We encourage the Security Council to consider options for increasing pressure on persistent perpetrators, as outlined in the Secretary-General's report, and look forward to a rich discussion on how to further develop those ideas.

We also call for more efforts to address impunity and to investigate, prosecute and punish all those who commit grave violations against children. The verdicts of the International Criminal Court and the Special Court for Sierra Leone against Thomas Lubanga and Charles Taylor are positive steps in that regard. The convictions warn perpetrators and would-be perpetrators of unlawful child soldier recruitment that their crimes will not go unpunished.

Last but not least, the Human Security Network encourages the Council to enhance its efforts to approach the protection of civilians in armed conflict in a systematic and coordinated manner that recognizes the particular vulnerability of children and women. We encourage Council members to hold further discussions on the issue on an open and inclusive basis.

(*spoke in French*)

Allow me now to speak briefly in my national capacity.

Further to what I have just said on behalf of the Human Security Network, it is encouraging to note the rapid progress. Since last September, for example, five parties to conflict in the Central African Republic, South Sudan, Somalia and Myanmar have signed action plans with the United Nations for the protection of children. To date, those action plans have been signed by five of the 10 Government forces listed.

However, the position of children affected by armed conflict remains of concern at the global level. Children have been killed, mutilated and recruited by armed groups, have been victims of sexual violence and are denied humanitarian aid. In order to strengthen the protection mechanism for children affected by armed conflict, two more types of serious violation should be included: abduction and denial of access to humanitarian aid. Furthermore, Switzerland calls on States that have not yet ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict to do so.

We should increase pressure on perpetrators of violations that persist in their acts. To that end, as my colleague from Luxembourg has just said, it is essential that close cooperation be established between the Security Council and national and international courts striving to put an end to serious violations of international humanitarian law.

Moreover, even more effective steps with regard to non-State armed actors should be taken. For example, as the Secretary-General underscores in his report, the Government of Myanmar refused to negotiate an action plan between two non-State armed actors and the United Nations. However, in that regard, the Geneva Call made possible the signing of the Deed of Commitment under Geneva Call for the Protection of Children from the Effects of Armed Conflict by those same non-State actors. Thus, as that case shows, there are alternatives and they should be promoted in situations where States impede cooperation between non-State armed actors and the United Nations. Switzerland would therefore like to pay tribute to the outstanding work of Geneva Call.

In conclusion, Switzerland therefore calls on all parties to support complementary activities by States, international organizations and civil society in the interests of children who are victims on the ground.

The President: I now give the floor to the representative of Finland.

Mr. Viinanen (Finland): I have the honour to address the Council on behalf of the Nordic countries: Denmark, Iceland, Norway, Sweden and my own country, Finland.

We wish to thank Germany for convening this debate and you, Mr. President, for all your work as Chair of the Working Group on Children and Armed Conflict. Under your leadership, Sir, the Council has adopted important new tools. The timeliness of considering situations of concern, including emerging ones, has also enhanced.

Let me express our deep appreciation to Ms. Radhika Coomaraswamy, who recently stepped down as Special Representative of the Secretary-General after six years of dedicated and groundbreaking work. We warmly welcome Ms. Leila Zerrougui to that important position. She has our full support. We hope that the Council will continue the excellent practice of inviting her to brief the Council and its relevant sanctions committees regularly, especially as situations of concern emerge.

In a decade, the Council has made a significant contribution towards ending grave violations against children. We welcome resolution 2068 (2012) adopted today. It reaffirms the normative basis of the Council's work and signals the determination to move ahead.

The mechanisms created by the Council have focused our attention and resulted in concrete action. Thousands of children used in hostilities have been released and the response to victims has improved. Attention to the protected status of schools and hospitals has increased. We are pleased that the Secretary-General's annual report (S/2012/261) for the first time lists armed forces and groups for attacking schools and hospitals.

We know that the mechanisms work. To date, 19 action plans have been signed. They commit States and non-State actors to ending the recruitment and use of child soldiers and other grave violations against children. In the past 18 months alone, parties in Afghanistan, Chad, the Central African Republic, South Sudan, Somalia and Myanmar have entered into action plans. Also, over time, a total of nine parties have verifiably complied with their obligations, ended violence against children and have consequently been delisted. The parties in Nepal and Sri Lanka were the most recent. That demonstrates very well that the mechanisms are also useful in situations that are not on the Council's agenda, but where grave violations against children occur.

We commend the efforts of the Security Council and all parties that have taken those significant steps. We call on all parties listed in the report that have not yet committed to action plans to do so.

Despite the progress, it is alarming that serious violations against children continue to occur every day, while the perpetrators go unpunished. We are particularly concerned about the significant increase in the number of persistent perpetrators. We encourage the Council to make full use of the toolkit on children and armed conflict to increase pressure on persistent perpetrators. We thank the Secretary-General for the recommendations in his excellent annual report. We join him in calling for increased political engagement and the use of targeted measures against persistent perpetrators. By including grave violations against children in the designation criteria of four of its sanctions committees, the Council has already sent a powerful message that grave violations are not acceptable and cannot go unpunished.

Judicial mechanisms are another way to increase pressure and to ensure accountability for violations. They also help to preserve the credibility of the Council's determination. The primary responsibility to investigate and prosecute the most serious international crimes lies with States themselves. There are persuasive arguments for enhancing the national capacities to try alleged perpetrators.

In cases where national trials are not possible, the International Criminal Court (ICC) is indispensable in ensuring justice and accountability. In March, the ICC found Thomas Lubanga guilty of the war crime of conscripting and enlisting children under the age of 15 and using them to participate actively in hostilities. In August, the Court gave its first-ever decision on reparations for victims in the same case.

We very much welcome those decisions of the ICC and their contribution to fighting impunity for the most serious international crimes. We encourage the Council to continue to demand increased accountability through national and international mechanisms.

The President: I call on the representative of Estonia.

Mr. Kolga (Estonia): First, I would like to join others by thanking the Security Council for organizing this open debate today and by expressing gratitude to the President of the Council for his continuous efforts as Chair of the Working Group on Children and Armed Conflict. That is an issue that certainly deserves the

attention of the Security Council, the body with the primary responsibility for international peace and security. We also welcome resolution 2068 (2012) adopted today.

Estonia fully aligns itself with the statement delivered by the observer of the European Union earlier today. Allow me also to convey our gratitude to the former Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Radhika Coomaraswamy, for her valuable work, and to welcome Ms. Leila Zerrougui to her new post. We assure Ms. Zerrougui of our full support.

Estonia welcomes the Secretary-General's report (S/2012/261) on which today's debate primarily focuses. We believe it is of utmost importance that the Secretary-General's report continue to be delivered in its current form, with both annexes.

The rights of the child are one of Estonia's human rights priorities. The United Nations has an important role to play in advocating and protecting the global system of human rights standards, including the rights of the child. There are a range of tools that the United Nations system, including its principal organs, has to either prevent or react to human rights violations — the Human Rights Council is one of the most important of them. Estonia is applying for membership to the Council for the years 2013 to 2015, and looks forward to advancing the agenda of children's rights as a member of the Human Rights Council, if elected.

Estonia strongly condemns all kinds of violence against children and violations of children's rights. We are very concerned about the reports of children being tortured and targeted in Syria. According to the Chair of the independent international commission of inquiry on the Syrian Arab Republic, Mr. Paulo Pinheiro, who presented the Commission's last report only two days ago in Geneva, "Gross violations of human rights have grown in number, in pace and in scale. Civilians, many of them children, are bearing the brunt of the spiraling violence". He also pointed out that half of the 1.2 million internally displaced persons are children. Estonia calls upon all parties involved in the conflict to respect their obligations under international humanitarian law and protect children.

Often, perpetrators of grave violations against children in situations of armed conflict enjoy impunity. Currently, 53 parties are listed in the annexes to the Secretary-General's report on children and armed conflict. We are alarmed that this year the number of persistent perpetrators has doubled to 32.

However, there is also reason for hope. In addition to the progress made on signing action plans to end the recruitment of child soldiers, we welcome the two milestone verdicts against Thomas Lubanga and Charles Taylor. Those convictions are important steps in advancing the rights of children by lending credence to the international community's commitment to ending impunity for the recruitment and use of children in armed conflict. Moreover, those verdicts are a powerful warning signal to perpetrators, having thus a deterrent effect. Ms. Coomaraswamy stated in 2010, when she gave her testimony as expert witness before the International Criminal Court (ICC), that the ICC's prosecution of the crime of child recruitment encouraged many groups to approach the United Nations to negotiate action plans for the release of children from their ranks. That illustrates the important effects that criminal proceedings against perpetrators of the worst human rights violations can have. Estonia agrees with the Secretary-General that amnesties should not be applied to individuals who recruited or recruit children.

While Mr. Lubanga's conviction is a landmark, more must be done to address the problem globally. We call on all States that have not yet done so to join the Rome Statute of the ICC. States should also extend their full cooperation to the ICC, including by identifying and locating witnesses, arresting and surrendering accused persons in their territories, and cooperating in the implementation of reparations to the victims.

Even in ideal circumstances, international courts and tribunals can hope to prosecute only a small number of perpetrators. And while effective investigations and prosecutions at the national level are potentially powerful tools to deter future crimes by closing the impunity gap, they are often stymied by lack of resources, willingness and capacity. We must therefore strengthen national judicial systems to investigate and prosecute grave violations, including those against children. We support the Secretary-General's recommendation to States to enact appropriate national legislation to criminalize grave violations against children in that respect. We call upon the international donor community, United Nations agencies and other partners to support Member States in developing and strengthening national capacity for those purposes.

We also welcome Ambassador De la Sablière's action-oriented report on the Security Council engagement on the protection of children in armed conflict and strongly support his recommendation that the Security Council pursue a complementary approach with the ICC, which would exert strong pressure on certain individuals and entities. We are pleased to be able to note that the basis for increased cooperation between the Court and the United Nations was created by testimony of the former Special Representative in the Lubanga trial.

Raising awareness at the local level concerning the association of children with armed groups is of the utmost importance. We cannot achieve tangible success if children's rights are not considered to be universal norms globally. The role of civil society and local non-governmental organizations (NGOs) cannot be underestimated in this context. The local community plays a key role in collecting information on possible violations. NGOs ought not to be impeded in their work or be instrumentalized by States.

In disseminating information on children's rights and especially on the issue of children in armed conflict, social media and modern information and communication technology should be used more broadly. A good example of that is the children and armed conflict smart phone application, which was launched today by the Mission of Liechtenstein in cooperation with Watchlist on Children and Armed Conflict and the Special Representative of the Secretary-General for Children and Armed Conflict.

I would like to finish with the quote of the former Sierra Leonean child soldier and author of the published memoir, *A Long Way Gone: Memoirs of a Boy Soldier*, Ishmael Beah:

> "We as human beings, as nations, as the international community, have the capacity to end the use of children in war. We must not waste another minute...".

The President: I call on the representative of the Republic of Korea.

Mr. Shin Dong Ik (Republic of Korea): At the outset, let me express my sincere appreciation to you, Mr. President, for convening this meaningful open debate on children and armed conflict. I would like to extend a special welcome to the newly appointed Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Leila Zerrougui. My delegation is confident that her extensive experience and in-depth wisdom will contribute greatly to achieving our noble cause of protecting children in armed conflicts. My appreciation also goes to the Executive Director of UNICEF, Mr. Anthony Lake; Under-Secretary-General for Peacekeeping Operations, Mr. Hervé Ladsous; and President of the International Center for Transitional Justice, Mr. David Tolbert, for their insightful remarks.

The Republic of Korea highly values the meaningful progress made over the past couple of years on a normative framework for the protection of children in armed conflicts. The most relevant recent achievements include last year's adoption of resolution 1998 (2011). My delegation notes with satisfaction that, in accordance with the request of the Security Council through its resolution 1998 (2011), the report of the Secretary-General (S/2012/261) includes, for the first time, parties to conflict that engage in attacks on schools and hospitals.

Despite the progress, however, my delegation is concerned about the continued plight of children affected by armed conflict in many parts of the world. Of particular concern is the growing list of persistent perpetrators of grave violations against children, which has doubled since last year. According to the Secretary-General's report, 32 parties have been listed as persistent perpetrators. My delegation believes that decisive and immediate action against them needs to be taken.

Against this backdrop, my delegation would like to underline the following four points with regard to the targeted measures to address the issue of children and armed conflict.

First, linkages with the Security Council sanctions regime should be further developed and strengthened. My delegation is pleased that, in July, the Committee established pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea expanded its sanctions designation criteria to include grave violations against children, which increased the number of sanctions committees with designation criteria from two to four. We hope that all other sanctions regimes will include these designation criteria.

Secondly, the United Nations efforts to mainstream the protection of children in armed conflict need to be further strengthened. We share the view contained in the Secretary-General's report that specific provisions

for the protection of children, including the deployment of child protection advisers to all relevant missions.

Thirdly, we would like to encourage those parties listed in the Secretary-General's report that have yet to conclude action plans to do so as soon as possible. It is encouraging that the parties to conflict in Nepal and Sri Lanka were de-listed after their successful completion of Council-mandated action plans to end the recruitment and use of children. Additionally, five more parties entered into similar agreements with the United Nations in 2011. Through these action plans, my delegation hopes that perpetrators will be brought to justice thorough investigation and prosecutions.

Fourthly, my delegation believes that continued attention needs to be paid to the issue of rape and other forms of sexual violence against children in situations of armed conflict. We have been strongly supportive of the listing of parties responsible for sexual crimes against children, pursuant to resolution 1882 (2009). In this connection, we encourage close cooperation between the Special Representative for Children and Armed Conflict and the Special Representative on Sexual Violence in Conflict in order for them to better address the difficulty in collecting and systematizing information on sexual violence against children in conflict situations.

The Republic of Korea hopes that today's open debate will serve as a valuable occasion to reconfirm the strong commitment of the international community to alleviating the suffering of children affected by armed conflict. In conclusion, my delegation reiterates its commitment to continued cooperation with the international community to that end.

The President: I now give the floor to the representative of Chile.

Mr. Errázuriz (Chile) (*spoke in Spanish*): I thank you, Mr. President, for convening this open debate on such a crucial and important issue. We recognize the important work done by the German delegation on the delicate matter of children and armed conflict.

Chile aligns itself with the statements made by the representatives of Switzerland on behalf of the Human Security Network and of Canada on behalf of the Group of Friends of Children and Armed Conflict.

Chile attaches great priority to the work of the Organization to combat and eradicate the use, involvement or recruitment of children in armed conflicts. Our own region has, unfortunately, not been spared this scourge. In this regard, we believe that the annual report presented by the Secretary-General to the Security Council on this matter, the most recent of which was published in April (S/2012/261), their annexes and the recommendations issued by the Working Group on Children and Armed Conflict on how better to tackle the scourge are of the greatest interest and importance.

In the same vein, we would like to express our gratitude for the effective management of the former Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Radhika Coomaraswamy, and for the progress that she achieved in terms of new action plans, which point the way towards reducing and putting an end to these violations. In addition, we offer our best wishes to the new Special Representative of the Secretary-General, Ms. Leila Zerrougui, in this crucial work and express my country's support for the efforts undertaken to combat these illicit acts and the impunity of their perpetrators.

As stated by the Special Representative of the Secretary-General herself, the global picture on this matter is mixed. We certainly welcome the delisting of countries and parties from the so-called list of shame and the fact that others have designed action plans in order to channel their resolve to end these grave violations through verifiable procedures, all of which is reflected in the report of the Secretary-General.

The listing of new parties who commit such atrocities, however, shows that this situation is far from resolved. In this regard, the series of reports of the Secretary-General on the situation in Syria and other countries where many children have been the victims of violence as a result of military operations only confirms the unacceptable violence afflicting that country, which must end. Moreover, we must also be concerned by the list, contained in annex I of the Secretary-General's report, of parties to conflict responsible for attacks against schools and hospitals, the particular gravity of such acts and the sanctions that these acts should entail.

In this regard, for Chile, the list drawn up by the Secretary-General on so-called persistent perpetrators — that is, parties that have been listed for more than five years as the perpetrators of various violations against children in armed conflict — should encourage Council action on how to effectively communicate to these parties that their actions will lead to their repudiation by the international community and

will strengthen the international community's resolve in ensuring that their acts will not go unpunished and that such sanctions become a reality. The Council must consider, on an urgent basis, specific measures tailored to those perpetrators and the expansion of the sanctions committees' criteria that would be triggered by acts of violence perpetrated against children in situations of armed conflict.

In conclusion, my country reiterates its call for the ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

The President: I now give the floor to the representative of the Democratic Republic of the Congo.

Mr. Gata Mavita wa Lufuta (Democratic Republic of the Congo) (*spoke in French*): At the outset, allow me to express my pleasure in seeing you, Sir, preside over the Security Council this month. I would also like to thank you for having convened this open debate, which in the view of my delegation bears witness to the importance the Council attaches to the fate of children in armed conflict.

As was well noted by Ms. Radhika Coommaraswamy, former Special Representative of the Secretary-General for Children and Armed Conflict, in the annual report of 28 June to the Human Rights Council in Geneva, thousands of children continue to be killed, mutilated or abducted. They are subject to sexual violence or lack access to humanitarian aid and health care in many countries. In several countries, Ms. Coommaraswamy said, they have even been used to commit suicide bombings or have served as human shields.

After the democratic elections in 2006 and 2011, the people of North and South Kivu had every reason to hope for sustainable peace in that part of the Democratic Republic of the Congo. The success of the joint military operations between the Forces armées de la République démocratique du Congo (FARDC) and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) were instrumental in raising that hope. Progress has been made in reducing threats to the security of the people and in improving the Government's ability to ensure that security. I commend the efforts made by the Child Protection Section of MONUSCO for protecting the rights of Congolese children.

Paragraphs 34, 35 and 36 of the Secretary-General's report (S/2012/261) concern acts committed by the FARDC in its former composition, which included elements from the Congrès national pour la défense du peuple, which in 2012 became the March 23 Movement (M-23) rebel group, under the leadership of Jean-Bosco Ntaganda and Sultani Makenga. It is precisely due to the M-23 that violence has spiked in North Kivu since rebels who deserted the Congolese army in early April turned their weapons against the same army. The basic reason for this increase in violence in the eastern Democratic Republic of the Congo is the Congolese Government's determination to cooperate with the International Criminal Court to pursue perpetrators of war crimes and crimes against humanity, and in particular crimes against children committed by gangs led by Jean-Bosco Ntaganda, Sultani Makenga and others.

Along these lines, we would remind the Council that the ongoing war in that area of the Democratic Republic of the Congo, particularly in and around the province of North Kivu, has brought with it a new increase of violence and other types of crime, whose main victims are women and children. The most frequent violations, usually perpetrated in complete impunity, are killings, systematic rapes, abductions, sexual torture, illegal arrests and detention, forced displacements and the conscription of children, as well as extreme forms of torture and cruelty.

Many of the Secretary-General's reports, including that before the Council today, underscore serious violations of human rights committed against children in North Kivu by M-23 rebels, supported by Rwanda. According to a report by Human Rights Watch issued on 11 September, since June 2012 M-23 fighters have killed in cold blood at least 15 civilians in the areas under their control, sometimes because these individuals were suspected to be hostile. They have also raped at least 46 women and girls; the youngest victims was eight years old.

There has been an enormous number of displacements following the violence in North Kivu, where children continue to be enlisted by the M-23 and forced to work in the extraction of natural resources. Other tactics, such as the destruction of agricultural infrastructure, are used by various armed groups to force local people to participate in the extraction of natural resources. Children are also used in quarries to break rocks for gravel. Once extracted, coltan, which is used in electronics, the mineral emits high levels of

radioactivity that helps explain numerous respiratory problems that are often deadly and to which children who have broken and transported coltan rocks fall victim. Those who survive are also traumatized by vandalism and barbarous acts committed by M-23 rebels. They are forced to watch, powerlessly, as their families and friends are killed before their eyes. They are reared in communities that have no familial or societal structures, in camps for displaced persons, or they live in the streets or other dangerous situations, and actively serve these armed groups.

Thousands of child victims of the M-23 have suffered terrible moral and bodily wounds. This situation requires reparation to compensate for the emotional damage these children suffer, including depression, loss of self-esteem, stress, involuntary abortions for young rape victims, infant mortality and sexually transmitted diseases, among others. Here, I am the voice of these children, whose families, often in horrible economic situations, would want specific reparations measures to be implemented. Reparations should also cover the total damages inflicted on these individuals. It could be in the form of restitution, compensation, readaptation, and guarantees that such crimes will not recur.

Displaced children have virtually no access to education, which makes them more vulnerable to being recruited into armed groups. Here, as emphasized by Ms. Florence Marshal, the spokesperson for the United Nations country team during the assessment mission of UNESCO for the school year 2012-2013, schooling for almost 85,000 children in North Kivu has been undermined this year by security issues linked to the war. She indicated that school rooms in 258 schools in the province are being used by displaced families, preventing children from going to school. She noted that, in some places, furniture for schools had disappeared and that benches and desks had been used for firewood. Many schools were unable to resume classes following clashes with armed groups.

Given the scope of this challenge, the Congolese Government and civil society have spared no effort in tackling the situation. It must be noted that the Democratic Republic of the Congo has made significant headway in combating sexual violence. Among the many activities undertaken by the Government to deal with the issue, I note that the law of 20 July 2006 contains significant innovations over the formal Congolese penal code, as follows.

The defining age of victims of sexual violence has been raised from 14 to 18; in other words, an 18-year-old girl is today considered to be a minor. Thus, any sexual activity to which she may be subject without her consent is a crime. These new provisions are a true revolution in customs. Moreover, forced marriage, forced prostitution, exploitation of children, sexual slavery, zoophilia and genital mutilation are considered to be crimes and the perpetrators can be subject to severe punishments. The violation of a minor, for example, leads to 10 to 20 years in prison, while sexual violence is punishable by 1 to 12 years. The new law on sexual violence, while retaining these infractions, has also added 16 new ones, drawn from international humanitarian law.

A new innovation in this law is the relevance of a perpetrator occupying a post in Government. That is, no one can claim immunity to escape justice if the individual has perpetrated an act of sexual violence. The law also reaffirms that the situation of children in armed conflict can only improve if all parties to a conflict uphold their commitments and their international obligations and, when necessary, are held accountable for their behaviour.

Beyond the dismal situation of children in the eastern part of the Democratic Republic of the Congo, there is reason to advocate for increased donor support to establish programmes and policies that will improve the safety and rights of all Congolese children. My delegation therefore welcomes the commitment and positive actions of the Secretary-General who, through his Special Representative for Children and Armed Conflict, has stressed the obligation to bring to justice the perpetrators of attacks against schools and hospitals. The adoption of resolution 1998 (2011) and the first verdict of the International Criminal Court in the case of Thomas Lubanga, which defined the recruitment and use of children as a war crime, provide a deterrent for the perpetrators of violations against children.

It should also be noted that, despite the progress made, particularly with respect to the ratification of the Convention on the Rights of the Child and its Optional Protocol, the solutions envisioned are at risk of remaining dead letter so long as the perpetrators of the crimes involved continue to go unpunished. It is important to encourage a process of reparation with the goal of reinstating children's rights, as well as to implement protective measures to prevent children from being attached to armed forces and groups.

To conclude, my delegation is pleased that the Office of the Special Representative has made the fight against impunity for crimes committed during armed conflicts one of its main priorities. The Government of the Democratic Republic of the Congo assures the Office of the Special Representative that it will fully cooperate in implementing the action plan for children that will be adopted by our country.

The President: I remind all speakers to limit their statements to no more than four minutes.

I now give the floor to the representative of Liechtenstein.

Mr. Barriga (Liechtenstein): At the outset, let me join others in thanking you, Sir, for organizing this timely debate. My delegation aligns itself with the statement delivered by the representative of Canada on behalf of the Group of Friends of Children and Armed Conflict, but also wishes to make a few points of its own.

We welcome the annual report of the Secretary-General on children and armed conflict (S/2012/261), and we warmly welcome the appointment of the new Special Representative of the Secretary-General, Ms. Leila Zerrougui. We reaffirm in the strongest terms our continued support for the mandate of the Special Representative. Despite today's vote, it remains clear that that mandate also includes situations of concern other than those on the agenda of the Council. We thank the former Special Representative, Ms. Radhika Coomaraswamy, and her Office for their highly dedicated work, and we welcome the latest expansion of the trigger of the monitoring and reporting mechanism to recurrent attacks on schools and hospitals. We call on the Council to expand the trigger to the two remaining grave violations: denial of humanitarian access and abductions. We further call on the Council to ensure that Special Representative Zerrougui regularly briefs the Council and its Working Group, including on situations such as those in Libya and Syria.

The report of the Secretary-General once again makes for disturbing reading. We are particularly concerned about the increasing number of persistent perpetrators listed in its annex. It is imperative for the Council to use all the tools at its disposal to strengthen accountability and to stop those tragic developments. The Council should expand, where relevant, the mandates of existing sanctions committees, and also consider allowing the Working Group to directly apply target measures against individuals. Furthermore, the Council should enhance its cooperation with international courts and make more frequent use of its power to refer situations to the International Cr' inal Court (ICC). The recent ICC sentence against ,ebel leader Thomas Lubanga for recruiting and using child soldiers in hostilities shows the relevance of the Court in that regard. We also believe that the ICC's deterrent effect should be applied to other situations, such as that in Syria.

Without effective investigations and prosecutions, national criminal laws will exert little deterrent effect. We must therefore increase our efforts to strengthen the capacity of national courts to investigate and prosecute violations against the rights of children. That is in line with the principle of complementarity, according to which international courts should get involved only as a last resort. Ultimately, the responsibility to protect and respect the rights of children in armed conflict rests with the parties themselves. We call on all persistent violators to develop and implement action plans that may eventually lead to their delisting. To that end, the States concerned must allow direct contacts between the Office of the Special Representative of the Secretary-General and the relevant non-State actors.

A further way to strengthen the United Nations child protection system is to apply the Security Council's normative framework on child protection in a more consistent manner. Research reveals that the Council often fails to reflect its thematic agenda in its country-specific work. In close partnership with Watchlist on Children and Armed Conflict and with the support of the Office of the Special Representative of the Secretary-General, we have developed a mobile application that seeks to increase the impact of the Council's agenda on the mission mandates of peacekeeping operations and on the criteria for sanctions committees. The application will provide policy-makers — those in this Chamber — with readily available key documents and appropriate language for negotiations. The application was launched today by the Special Representative of the Secretary-General at an event organized by the Mission of Liechtenstein, in cooperation with Watchlist on Children and Armed Conflict. I would like to take this opportunity to thank everyone who attended the event and made it a success.

The President: I now give the floor to the representative of Australia.

Ms. King (Australia): We wish to thank you, Sir, and to thank Germany, for your continued leadership on this vital subject. We also thank the Secretary-General for his latest report (S/2012/261). Regrettably, it makes for sobering reading, detailing the depth and extent of the deplorable violations of children's rights occurring around the world. Australia welcomes the continuing attention paid to this issue by the Secretary-General and the United Nations system, and the Secretary-General's continue provision of annual reports on such an elemental humanitarian concern.

Australia would like to thank Radhika Coomaraswamy for her steadfast work and to congratulate Leila Zerrougui on her appointment as the new Special Representative on Children and Armed Conflict. Australia is strongly supportive of her mandate and we encourage the Security Council to receive regular briefings from her, including on emerging situations of concern. We also commend the ongoing work of UNICEF, the Department of Peacekeeping Operations and other partners in the field. The active efforts of the United Nations have raised awareness of this issue, and have built understanding, capacity and accountability. We welcome the Council's expanded set of triggers for listing perpetrators, as well as the introduction of designation criteria for grave violations against children in four sanctions committees. We urge other committees to adopt similar measures.

Australia also welcomes the mainstreaming of children's protection into country-specific action taken by the Council. The monitoring and reporting mechanism, to which Australia continues to contribute, is an invaluable tool in adding to our understanding of country situations. Action plans are helping to end violations against children, and we welcome the signing of new action plans in Afghanistan, the Central African Republic, Chad, Myanmar, Somalia and South Sudan. In Chad, we note the significant decrease in the number of reported cases of child recruitment, and applaud the Government for funding, with the United Nations, a joint protection of civilians strategy. We encourage other affected States to conclude child protection action plans and to devote the necessary resources to their full implementation.

Ending impunity and creating a culture of accountability is also crucial to ensuring non-recurrence. The convictions of Thomas Lubanga and Charles Taylor are important symbols to the world that justice can be delivered.

While Australia recognizes the significant progress that has been made, we remain deeply concerned that grave violations continue to occur, including in Syria, where the independent commission of inquiry has found evidence of targeting, arbitrary arrest and detention, torture and sexual assault of children by both Government forces and shabiha members. Regrettably, as Ambassador De la Sablière noted in his 10-year report, little progress has been achieved with non-State actors. Australia calls on the Security Council to take appropriate, targeted action against persistent perpetrators.

Sustainable funding is essential to assisting States to strengthen their child protection frameworks, build resilience and promote peace and security. Australia is providing support for prevention and reintegration efforts alike. They have included training, education and development opportunities for former child soldiers and children affected by armed conflict in Nepal, Liberia, Uganda and South Sudan, as well as support to Watchlist to build the capacity of non-governmental organization partners in monitoring, reporting and response activities.

In conclusion, the Council has taken significant steps in recent years to highlight the importance of protecting children in armed conflict. But actually, we can never do enough to protect children. They are, after all, the future.

The President: I now give the floor to the representative of Bosnia and Herzegovina.

Ms. Čolaković (Bosnia and Herzegovina): I would like to thank you, Mr. President, for convening this debate and for all your efforts as Chair of the Working Group on Children and Armed Conflict. We also thank recently appointed Special Representative of the Secretary-General Leila Zerrougui, Under-Secretary-General for Peacekeeping Hervé Ladsous, the Executive Director of UNICEF, Mr. Anthony Lake, and the President of the International Center for Transitional Justice, Mr. David Tolbert, for their comprehensive briefings today.

Bosnia and Herzegovina attaches great importance to the issue of children in armed conflict, as the most vulnerable group, and underlines the significance of keeping it on the Council's agenda. It should be emphasized that all parties to armed conflict must strictly comply with their international obligations and the relevant provisions related to the rights and

protection of children in armed conflict. Member States should work on their obligations and adopt appropriate measures in national legislation with regard to the recruitment of children and their protection from all forms of violence. If national judicial systems fail to do so, international justice mechanisms, criminal courts or tribunals can be valuable tools to bring perpetrators to justice and put an end to impunity.

The latest report of the Secretary-General (S/2012/261) highlights the increase in the number of persistent perpetrators. In light of that fact, the Security Council should pay more attention to and put pressure on parties to conflict. Moreover, we believe that the useful practice of briefing the Security Council sanctions committees should be continued.

We cannot remain silent about disturbing reports of armed conflict affecting the lives of children. Attacks on schools and hospitals are part of the daily life of children in conflict settings. Therefore, we urge all parties involved to respect schools and hospitals as protected areas and zones of peace. We have to send a strong message, collectively, that not a single child should be deprived of the chance of having a safe and secure life and future, including the right to education.

Significant efforts have been made regarding the signing and implementation of action plans with parties to conflict. It is also important to increase efforts to engage the parties in meaningful dialogue in order to prepare, sign and implement time-bound action plans. The process should be well coordinated among different actors in the field, in close consultation with the host Government, non-governmental organizations and donors. Therefore, we support all efforts of the United Nations to enter into dialogue with parties to armed conflict. Violations of those provisions should not be tolerated or go unpunished. Allowing independent access of relevant United Nations actors is indispensable to monitoring and reporting on grave violations against children. Specific provisions for the protection of children need to be included in all relevant mandates of United Nations peacekeeping operations and political and peacebuilding missions, so that the existing child protection capacity can be strengthened.

In conclusion, I would like to stress that Bosnia and Herzegovina endorsed the Paris Principles and Commitments on 26 September 2011 during the fourth ministerial meeting held in New York. It was an additional step to show our commitment and make a modest contribution to the protection of children, and to demonstrate our support for that agenda.

The President: I now give the floor to the representative of Slovenia.

Ms. Štiglic (Slovenia): Allow me first, Mr. President, to thank Germany for organizing this important event and for your leadership on this issue, which, significant as it is now, must also remain high on our agenda in the future. Slovenia would like to align itself with the statements made by the observer of the European Union and on behalf of the Human Security Network and the Group of Friends of Children and Armed Conflict.

We would like to thank Secretary-General for his annual report (A/2012/261). Slovenia strongly supports the report in its current form, including the two annexes therein. We welcome the appointment of Ms. Leila Zerrougui as the new Special Representative for Children and Armed Conflict, and we extend our full support for her mandate. At the same time, we would like to commend the former Special Representative, Ms. Radhika Coomaraswamy, for her outstanding work and dedication to the protection of children affected by armed conflict in the past six years. We look forward to the continuation of good cooperation with the Special Representative and her Office in the future.

Since the establishment of the mandate of the Special Representative 15 years ago, the protection of children affected by armed conflict has improved significantly. Many have contributed to that result, including the Security Council, with its framework for the protection of conflict-affected children. We commend the Security Council for the work done and at the same time encourage it to continue at the same pace in the future. It should never be forgotten that children around the world still suffer from armed conflict and its consequences in fragile post-conflict situations. We would like once again to welcome the expansion of triggers to include attacks or threats of attacks on schools and hospitals and encourage the Security Council to consider the two remaining grave violations against children in conflict as triggers in due time.

Slovenia remains concerned over reports about the state of protection of children affected by armed conflict around the world in 2012, which remains critical, such as the situation in Syria. We will continue with our efforts in rehabilitation processes for children affected by armed conflict, performed by Slovenia's International Trust Fund for Demining and Mine

Victims Assistance, an organization committed to enhancing human security.

We welcome the signing of action plans in 2011 and 2012. Action plans make an important contribution on the ground to ending grave violations against children. In order to complete such initiatives, access by the United Nations to non-State armed groups, facilitated by Governments, is crucial.

Due to the vulnerability of children, the issue of children and armed conflict deserves special attention and should be considered as an issue per se. However, the issue should be a part of a larger picture when addressing a specific country situation. Therefore, we encourage the Security Council and its Working Group to continue with regular briefings with the Special Representative for Children and Armed Conflict, including on emerging situations.

Peace negotiations and peace agreements should include the issues of children affected by armed conflict. Grave violations committed against children in armed conflict should be designation criteria in all relevant sanctions regimes, and in that regard we encourage the continuation of briefings by the Special Representative for Children and Armed Conflict to all relevant sanctions committees.

The Security Council should ensure that specific provisions for the protection of children continue to be included in all relevant mandates of United Nations peacekeeping operations, as well as political and peacebuilding missions, including by the deployment of child protection advisers. Child protection capacity should be systematically addressed also in situations where there is no peacekeeping or political mission. Furthermore, we believe that the Working Group's toolkit on children and armed conflict presents an adequate instrument to address this issue properly, and encourage the Working Group to make full use of it.

Grave violations committed against children in armed conflict should be investigated and perpetrators should be brought to justice. In that regard, Slovenia welcomes the convictions of Thomas Lubanga at the International Criminal Court and Charles Taylor at the Special Court for Sierra Leone. Both create important jurisprudence for future cases on the issue of child recruitment in national and international courts.

In conclusion, Slovenia would like to express concern over the increase in the number of parties that have been listed in the annexes to the report of the Secretary-General for more than five years, which amounts to more than half of the parties listed. In that regard, we support the Secretary-General's recommendations to the Security Council addressing the persistent perpetrators, and welcome the report of Ambassador De La Sablière.

Over the years, a wide international network has been developed by partners from the United Nations system, regional organizations, Governments and civil society to protect children affected by armed conflict. Slovenia is honoured to be a part of it and calls on all to preserve this network, since armed conflict is no place for children. It is also for this reason that Slovenia joined in sponsoring resolution 2068 (2012).

The President: I give the floor to the representative of Thailand.

Mr. Sinhaseni (Thailand): At the outset, I would like to congratulate Germany on its presidency of the Security Council for the month of September, and to thank you, Sir, for convening this important open debate. I also join previous speakers in congratulating Ms. Leila Zerrougui on her appointment as Special Representative of the Secretary-General for Children and Armed Conflict. We wish her every success in discharging her responsibilities under her mandate and look forward to working closely with her to that end.

Thailand is no less concerned than any other country when it comes to violence against children in all forms, not least in situations of armed conflict. We recognize that the United Nations has an important role to play in protecting children in such situations and consider it incumbent upon Member States to help the United Nations perform this task as efficaciously as possible. It is in this spirit that I offer the following views.

First, we need to strengthen collaboration and coordination within the United Nations system, as well as between the United Nations and concerned Governments. It speaks well of our love for children that a large number of agencies, committees and treaty bodies under the United Nations umbrella work on child-related issues under various mandates. To make the best use of our time and resources, we need to ensure that such mandates are clearly defined and carried out in a transparent and accountable manner.

Secondly, we urge Security Council members to consult further to clarify the listing and delisting criteria. At present, once a country is put on the list, it is not objectively clear what it must do to be removed. The list thus becomes a hall of shame, rather than a potential tool to encourage countries to work with the United Nations on the shared goal of protecting children in situations of armed conflict.

Thirdly, Thailand would like to stress the importance of information used as the basis for the reports of the Secretary-General and of the Special Representative of the Secretary-General. Such information needs to be accurate, objective, reliable and verifiable, as stipulated in paragraph 17 of resolution 1998 (2011). Inaccurate information can lead to misdirection of resources and efforts, not to mention much more serious consequences.

Finally, we must be ever mindful of the risk of unintended consequences. The road to hell, it is said, is paved with good intentions. To achieve the intended results, along with good intentions we must also have reliable information and a willingness to listen and learn. As the State has the primary responsibility for the protection of children, it is important for the United Nations to at least work with Governments, rather than against them.

Like any other Government, Thailand has the best interests of its children at heart. We will continue to work closely with the United Nations system on this important issue to ensure to the best of our ability that they are well protected.

Mr. President: I give the floor to the representative of Belgium.

Mr. Grauls (Belgium): I thank you, Sir, for allowing my delegation to take the floor during this debate and for Germany's leadership on this issue. Belgium aligns itself with the statement made by the observer of the European Union. My delegation also fully supports what was said on behalf of the Group of Friends of Children and Armed Conflict.

Like so many other delegations, my delegation would like to take this opportunity to express our sincere and profound gratitude and admiration for the work of former Special Representative Radhika Coomaraswamy. Her efforts and commitment have greatly contributed to the advancement of the issue of children and armed conflict on the United Nations and indeed the international agenda.

My delegation would also like to congratulate Ms. Leila Zerrougui on her recent appointment as Special Representative of the Secretary-General for Children and Armed Conflict. As a long-term supporter of the mandate, Belgium and my delegation are looking forward to working closely with her and with her office.

We welcome the annual report of the Secretary-General (S/2012/261), as well as the report prepared by Ambassador De La Sablière, whom my delegation would also like to commend. Ambassador De La Sablière was one of the first supporters of the cause of children in armed conflict and his commitment is unabated to this day. The annual report of the Secretary-General speaks of progress made and of challenges that remain in addressing grave violations committed against children in armed conflict. It is a balanced but realistic approach to that important issue.

Important successes have indeed been achieved towards preventing the commission of grave violations, by the signing of several new action plans, which are key tools in protecting children from current and future abuse. Belgium was particularly satisfied to learn from the Special Representative's statement to the Human Rights Council last week that the Government of the Democratic Republic of the Congo has committed itself to the signing of an action plan with the United Nations to end the recruitment of and sexual violence against children in the security services of the Democratic Republic of the Congo. My delegation does hope that this commitment will materialize soon.

Significant progress has also been made in the fight against impunity. The conviction of Thomas Lubanga by the International Criminal Court on the issue of child recruitment can undoubtedly be considered as a landmark judgment in the efforts to combat impunity.

But there are also challenges. And the biggest challenge lies, no doubt, in the increasing number of persistent perpetrators who deliberately continue to ignore the resolutions of the Security Council. In our opinion, the Security Council has no other option than to increase even further the pressure on those persistent perpetrators of grave violations against children and to continue considering the application of targeted measures against the criminals. That is simply an issue of accountability for grave violations against children, and as we all know accountability is a deterrent.

Belgium also shares the concern of the Secretary-General and the Special Representative concerning

the use of explosive weapons, especially in densely populated areas. We deplore that explosive weapons have been used in direct physical attacks against schools and hospitals. Those acts constitute a grave violation of children's rights. Belgium strongly supports the concrete recommendations made by the Special Representative regarding the use of explosive weapons with wide-area effect in populated areas, and calls for the universalization of the relevant international instruments, including the Conventions on the prohibition of antipersonnel mines and cluster munitions.

Belgium also welcomes the increased cooperation on the issue of children in armed conflict with regional organizations, such as the European Union and NATO, in particular in the field of training, awareness-raising and conduct of operations.

My delegation encourages Ms. Zerrougui to strengthen this type of cooperation with other organizations, such as the African Union, the Association of Southeast Asian Nations and the Organization of Islamic Cooperation.

Lastly, Belgium wishes to reiterate its support for the joint universal ratification campaign of the Special Representative, UNICEF and the Office of the High Commissioner for Human Rights. My delegation encourages all States that have not yet done so to ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement on children in armed conflict.

I have two final comments. First, Belgium would like to launch an appeal to the wider United Nations membership, and to the members of the Security Council in particular, to support, without any hesitation or reluctance, the mandate of the Special Representative as it stands. The interests of children worldwide will only be served, and their rights protected, when children at last cease to be helpless victims in the cynical game of power politics.

Let me also react to statements we have heard in this Chamber with regard to national sovereignty. For my country, it is crystal clear that sovereignty, as a matter of principle, should never, ever be invoked in order to deprive children of the protection they deserve, since sovereignty is a means for a State to protect its own citizens, whatever their age. Allowing the United Nations access in situations of concern, and allowing it to report and verify incidents of violations against children, is, in Belgium's view, merely part of a correct implementation of the sovereignty principle.

The President: I now give the floor to the representative of the Syrian Arab Republic.

Mr. Ja'afari (Syrian Arab Republic) (*spoke in Arabic*): I would first like to congratulate Ms. Leila Zerrougui, the new Special Representative of the Secretary-General for Children and Armed Conflict, on her appointment and to wish her every success with her mandate. We hope that she, too, will be able to leave her own mark in fulfilling that mandate, and that it will be very different from the style adopted by her predecessor.

We have noted with concern the report of the Secretary-General on children and armed conflict in the document before us (S/2012/261), due to the misinformation that it contains, submitted by the outgoing Special Representative, Ms. Radhika Coomaraswamy. In our view, this is not a professional report and does not provide an accurate reflection of the facts. Apparently, the author was motivated by a desire to harm Syria and to tarnish its reputation, questioning its international commitments concerning the protection of children and ending violence against children in situations of armed conflict.

We therefore entirely reject all the allegations in the report about Syria and denounce the politicization of this important humanitarian issue, which is chiefly concerned with the safety and security of children in my country. Before they drafted this report, we should have preferred that its authors substantiate their information, rather than basing it solely on allegations that have appeared in the media and that can be attributed to hostile propaganda efforts being waged against Syria. We would have preferred that the authors at least acquaint themselves with the views of the Syrian Government, which we sought to communicate to Ms. Coomaraswamy from the very onset of these events.

The author of the report has imputed the entire responsibility for the acts of violence perpetrated against children to the Syrian armed forces, accusing them of bombing schools and killing and maiming children, thus deliberately contradicting dozens of other political and media reports, as well as the eyewitness accounts of non-governmental parties, which provide evidence of armed groups' use and recruitment of children by forcing them to take up arms, participate

in terrorist activities, and obey orders given by the leaders of terrorist groups to kill and vandalize private and public goods and property. These are facts about acts on the ground that even the Secretary-General has been unable to deny in the report, due to the fact that they cite credible allegations that armed groups are recruiting children.

The latest report of the international commission of inquiry on the situation in Syria also underscores the fact that anti-Government armed groups have recruited children under the age of 18 to participate in combat or provide support by helping to evacuate the wounded or act as messengers for the armed groups. In that context, I recall that the Syrian Arab Republic is not only a party to the Convention on the Rights of the Child, but since 2003 has also been a party to its Optional Protocol on the involvement of children in armed conflict. As always, we remain committed to upholding our obligations under these international conventions.

We should also have preferred that the Special Representative include in the paragraphs concerning Syria the acts that have been perpetrated by armed terrorist groups that have been supported and financed by foreign parties. Those groups have burned or destroyed more than 2,600 schools, nurseries and kindergartens, and targeted health centres. These acts have been detailed in UNICEF reports. In fact, it is those armed groups that are violating the rights of the child in Syria and hindering the evacuation of the wounded, the sick, children and disabled from certain areas, where they have been taken as hostages, as was the case in the city of Homs, confirmed by the representative of the International Committee of the Red Cross. As a gift to the children on their return for the first day of school, the armed groups bombed a primary school near Damascus, causing dozens of injuries among the students. In spite of this, none of the advocates of children's rights or education rights have intervened. It seems strange to us that, as usual, the forces of law and order are being accused of these very actions.

In her statement today, the Special Representative stated that she had asked me to convey to the Syrian armed forces her appeal to evacuate the schools. However, she omitted to include my response to her appeal, and I would therefore like to convey what I said to her regarding the situation of schools in Syria. This reply was prepared at the fifth meeting of the humanitarian forum on Syria, which took place in Geneva under the aegis of the Office for the Coordination of Humanitarian Affairs on 7 September.

At the end of that meeting, a communiqué was issued. I shall quote one of its paragraphs, the same paragraph that I had brought to the attention of the Special Representative:

(*spoke in English*)

> "The Regional Humanitarian Coordinator, who is, as is well known, based in Damascus and who works for OCHA, briefed on the rapidly deteriorating humanitarian situation resulting from the recent escalation of violence, said that the local community's ability to support people who have fled their homes has been largely exhausted. Of the 1.2 million people displaced, more than 1 million are sheltering in 470 schools and other public buildings. The need to find alternative shelter is urgent, particularly as the new school term is scheduled to start on 16 September."

(*spoke in Arabic*)

In other words, the OCHA Coordinator in Damascus explained to the Special Representative that schools in Syria served as places of refuge for displaced families and were not being used as emplacements for Government forces. Again, this is an eyewitness account from the Coordinator.

Moreover, the Special Representative has received reports and documents concerning a phenomenon that has been noted in certain Arab States and which is known as halal, or authorized, sexual jihad, which allows the targeting of Syrian girl children living in refugee camps in Turkey and Jordan. That type of jihad authorizes marriage to such girl children, aged 14 to 16, in exchange for a modest sum. The Special Representative also confirmed 86 documented reports of rape that occurred in Turkish refugee camps.

We would have also preferred that the report make mention of the illegal unilateral economic measures that have been imposed on Syrian children, who are their primary victims because of the difficulty in transferring funds resulting from the blockade imposed on the national banks, which has seriously hampered the provision of vaccines and medications to children.

We were equally taken aback to find that the report devotes eight paragraphs to Syria while failing entirely to mention the suffering endured by Syrian children under the decades-long Israeli occupation of the Syrian

Golan. Those children, too, suffer on a daily basis as a result of the crimes committed by the Israeli occupiers and daily violations of their most basic rights: the right to life, education, food and water. That is not to mention the continuing suffering resulting from the antipersonnel mines laid by Israel in the territory of the occupied Golan. Such mines have led to the deaths of 202 Syrian children and have caused 329 others to suffer from permanent disabilities. For years, on dozens of occasions, we drew Ms. Coomaraswamy's attention to the need to focus in particular on this matter in her reports. However, she consistently ignored that request.

Although the suffering of children in situations of armed conflict has been brought to light as a result of the work of the Special Representative, her statement was devoid of any mention of the suffering of Palestinian children living under Israeli occupation. Here I would simply like to remind the Special Representative of the fact that Israel, since 29 September 2000, has killed more than 1,500 Palestinian children. It would be equally appropriate to mention the Iraqi and Libyan children who also lost their lives as a result of the NATO military interventions in those two countries. We wish also to recall the anniversary of Sabra and Shatila.

The Syrian Government reaffirms its right to protect its citizens and, on the basis of the ethical norms of the Security Council and in keeping with the Charter of the United Nations, my country calls on the members of the Security Council once again to bring pressure to bear on those countries that are funding terrorism in Syria, so that they desist from supporting those terrorist groups and refrain from arming or financing them or facilitating their operations, in keeping with Security Council resolutions on the combat against terrorism.

My country also calls for greater emphasis to be placed on the need to repeal the unethical and illegal sanctions that have been imposed on my country, Syria.

The President: Once again, I would remind all speakers to limit their statements to no more than four minutes.

I now give the floor to the representative of Iraq.

Mr. Al Bayati (Iraq): At the outset, I would like to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month and to express my delegation's appreciation for what was mentioned in the annual report of the Secretary-General (S/2012/261) on children and armed conflict presented to the Security Council, covering the period from January to December 2011. I would like also to congratulate Ms. Leila Zerrougui on her appointment as the Special Representative of the Secretary-General for children and armed conflict, and I wish to express our willingness to cooperate with her within the scope of her new mandate.

I would like to thank Ms. Zerrougui; Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations; Mr. Anthony Lake, Executive Director of UNICEF; and Mr. David Tolbert, President of the International Center for Transitional Justice, for their presentations. I would like to express our view that they all mentioned the situation of children and armed conflict in many countries in our region and the world without mentioning the situation in Iraq. That means that the situation in Iraq is not as bad as in all the countries that were mentioned this morning in the Security Council, although we continue to say that we still have difficulties, challenges and problems because of the violence perpetrated by terrorist groups such as Al-Qaida and its affiliated groups, such the Islamic State of Iraq.

In addition, Mr. Ladsous spoke about United Nations peacekeeping forces in many countries in our region and the world, but we have had no such forces in Iraq since 2003, which is a good indication of the fact that we do not have armed conflict in Iraq. In fact, in her letter responding to my question about the definition of armed conflict, Patricia O'Brien, Under-Secretary-General for Legal Affairs, wrote:

> "Common Article 3 of the 1949 Geneva Conventions and Additional Protocol II to the Geneva Conventions of 1977 address situations of non-international armed conflict. Article 1 of Protocol II sets forth certain additional criteria in respect of non-international armed conflicts. It states that Protocol II applies in respect of armed conflicts 'which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol.' It also specifies that it does 'not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature, as not being armed conflicts.'

> Thus, under international humanitarian law, an 'armed conflict' of a non-international character is more than a sporadic act of violence, and 'a party to an armed conflict' must be (i) organized, with a responsible command structure; (ii) exercise control over a part of a territory; and (iii) be able to carry out sustained and concerted military operations, which criteria are cumulative in nature. We trust that the foregoing will be of assistance to your authorities in determining whether the concept of armed conflict applies in the circumstances of Iraq."

It is obvious that the concept of armed conflict set forth in the Geneva Conventions does not apply to Iraq because in Iraq we are no longer experiencing more than sporadic acts of violence and terrorist attacks. My Government believes that there are terrorist groups who are attacking Iraqi civilians, including children, but that we do not have armed conflict in Iraq.

With regard to the report of the Secretary-General (S/2012/261), we would like to make the following observations. In paragraph 41 and many other paragraphs, the report describes Al-Qaida and its affiliated groups, such as the Islamic State of Iraq, as armed groups. Secretary-General Ban Ki-Moon has condemned the attacks perpetrated by those groups as terrorist attacks, for example in his statements on 11 March 2010 and 3 November 2010. In addition, the Security Council has condemned the attacks carried out in Iraq by those organizations and described them as terrorist attacks in each of its statements, the most recent being SC/10757, issued on 11 September 2012. It is therefore important to characterize those groups as terrorist organizations and their attacks as terrorist attacks in order to be consistent with the language of the Secretary-General and the Security Council.

Paragraph 41 also states that there were 341 incidents in which children were victims during the reporting period, 117 of which were verified by the country monitoring and reporting task force. We believe that the report should include only verified incidents, as that leads to greater accuracy, given that reported numbers could sometimes be exaggerated. Official statistics issued by the Iraqi Ministry of Health show that only 96 children were the victims of terrorist attacks in 2011. The report also mentions that children were reportedly seen manning checkpoints of the Awakening Council checkpoints. However, the Awakening Councils have been officially merged with the Iraqi Armed Forces, and children are prohibited to serve in the Armed Forces pursuant to Iraqi law and the Iraqi Constitution.

In paragraph 42, the report mentions that armed groups such as Al-Qaida and the Islamic State of Iraq are continuing to recruit children. In the same paragraph, the report points out that children are being used to carry out espionage, reconnaissance, transport of military equipment, videotaping attacks for propaganda purposes, planting of explosives and actual participation in attacks against civilians and security forces, which suggests that children are doing almost everything for Al-Qaida terrorist groups. That is an obvious exaggeration of the role of children. The report also states in paragraph 42:

> "It should be noted that the Al-Qaida in Iraq's youth wing 'Birds of Paradise', listed in my previous report for recruitment and use of children, was no longer active in the current reporting period."

In paragraph 43, the report states that a number of children were indicted or convicted of terrorism-related charges under the Iraqi anti-terrorism law. We would like to point out that if those children were being used by Al-Qaida for terrorist attacks, as is mentioned in the previous paragraph in the report, then they could be indicted and convicted. Legislation from all over the world permits the indictment and conviction of children who commit crimes. In the same paragraph, the report also mentions that in the last three months of 2011 there was an increase in the number of child detainees awaiting trial who had been accused of being associated with armed groups and committing crimes related to terrorism. We would point out that those trials are handled by independent judicial authorities in application of relevant Iraqi laws designed to counter terrorism perpetrated against civilians and other innocent people, whose deaths and injuries have been witnessed throughout the world thanks to television coverage of brutal terrorist attacks in Iraq.

Paragraph 44 of the report mentions a number of deaths and injuries among children caused by the continuation of violence in 2011. It further mentions that the ability to investigate those incidents remains limited due to security concerns related to monitoring and observation activities. We would like to point out that United Nations Assistance Mission for Iraq has staff stationed all over Iraq which could, together with the country team monitoring and reporting task force associated with the Office of the Special Representative

of the Secretary-General, investigate those incidents mentioned in paragraph 41 of the report, in which the verification of 117 incidents is noted.

Paragraph 47 of the report mentions that the kidnapping of children is used to finance the operations of armed groups that are not part of the Iraqi Government. In the same paragraph, the report states that "an 11-year-old boy was abducted near his house in June 2011 by perpetrators claiming to be members of ISI". That shows that kidnappings are used to finance terrorist groups.

Paragraph 48 points to 54 incidents affecting schools and hospitals during 2011. We would note that those numbers of incidents have not been confirmed. We also believe that the numbers are very small given the hundreds of thousands of schools, hospitals and health centres all over Iraq. Children attend school in a normal fashion throughout the country; this small number of incidents does not affect them.

In paragraph 48, the report also states that

> "[t]wenty-seven education personnel and 17 medical workers were killed or injured in different incidents that included direct shooting and improvised explosive devices.".

We hereby express the need for full respect and observance of the children and armed conflict mandate. Situations that do not fall within the terms of the mandate should not be included in the reports of the Secretary-General, in order to preserve the integrity of the mandate. The report also states in paragraph 48 that "[a]rmed groups, including Al-Qaida in Iraq and ISI, were responsible in all reported cases".

In conclusion, I would like to stress an important fact of which the Security Council is aware. As the Secretary-General said in one of his reports, Iraq today is not the Iraq of prior to 2003. Iraq today is a constitutional, parliamentary and federal democracy ruled by a Government, elected by the people of Iraq, that is protecting the rule of law and human rights, especially the rights of the Iraqi children.

We once again thank the Special Representative of the Secretary-General for Children and Armed Conflict and her Office for their efforts and we express, as a priority of the Iraqi Government, our readiness and happiness to cooperate with them within the framework of the new mandate and with all bodies of the United Nations in order to guarantee the rights of Iraqi children.

The President: I call on the representative of Kenya.

Mr. Kamau (Kenya): I congratulate Germany on assuming the presidency of the Security Council for the month of September, and we are very encouraged by the initiative to hold this open debate today. We believe that today's debate presents an excellent opportunity for Member States to reaffirm their strong support for this important mandate.

At the outset, my delegation warmly welcomes the appointment of Ms. Leila Zerrougui as the new Special Representative of the Secretary General for Children and Armed Conflict. Her exceptional ability, breadth of vision and wide experience should ensure the successful execution of her mandate.

Similarly, my delegation welcomes the most recent report of the Secretary-General on children and armed conflict (S/2012/261).

We appreciate the many activities that the Office of the Special Representative has undertaken. We believe that action plans, participation in ceasefire negotiations and démarches with various countries have gone a long way towards improving the lives of innocent children who become the victims of conflict and strife. My delegation pledges to engage constructively with the Office to achieve the set objectives. Lastly, my delegation also recognizes and appreciates the continued exemplary work of UNICEF in the support of children in armed conflict.

Long before the Graça Machel study, which gave rise to this mandate, was undertaken, Kenya recognized the importance of championing the rights of its children and of ensuring their protection. The promotion and protection of the rights of children in any situation has become the sine qua non for policies and interventions implemented by the Government of Kenya. For that reason, the protection of children has been interwoven into the very survival of society. Such actions are now firmly anchored in the Kenyan sociocultural fabric, where children were and still are considered the mainstay of the bright future that we all hope to obtain.

In following the same tradition, Kenya has invested considerable efforts and resources in advocating for and promoting the protection of the rights of children. The Kenyan Constitution is a pillar of hope for every man, woman and child. It has clear provisions on the rights of children. Priority has been given to education,

health care, protection, water, food and the provision of a safe environment in which children can grow, enjoy their lives and develop. Our national legislation has elaborated on the various rights and encompasses service provision under the supervision of strengthened national institutions mandated to monitor and evaluate any child-related intervention.

We are confronted by the challenges of protecting children in all situations. The burden is odious in times of conflict, but children must be protected in all situations nonetheless. The situation will be exacerbated if institutions charged with protecting children are weak. The process of ensuring that children are protected during conflict has to begin before any conflict is envisaged. We should be able to address the triggers of conflict. The specific underlying causes of strife, conflict or civil intimidation that are the primary deniers of peace and security are many, varied and well documented. They range from deficient States and infrastructure to competition and from the illegal exploitation of resources and the inequitable sharing of the fruits of development to failed governance practices.

The international community must work in tandem to dim the embers of conflict. The most urgent agenda on which people and their Government mostly agree is the need for urgent, sustained and accelerated development and a rise in prosperity. The United Nations system has a major role to play in that regard. Agencies, funds and programmes play important roles in strengthening the capacity of countries to promote and protect the rights of children. As the new Special Representative of the Secretary-General begins her journey on this mandate, my delegation urges her to continue working with such developmental and humanitarian organizations to strengthen the capacities of countries to address the myriad of challenges facing our children.

The Council would readily understand Kenya's concern for the dire fate of the many Somali children who are under the repression and terror of Al-Shabaab in that country. After decades of the slaughter of innocent men, women and children, an incalculable loss of property and indescribable suffering and deprivation, the international community, led by the regional neighbours, has undertaken concrete steps to ameliorate the situation in Somalia. We urge the Special Representative and agencies and funds of the United Nations, non-governmental organizations and well-wishers not to lose sight of the children who have been recruited into the ranks of Al-Shabaab and, for that matter, other gangs and terrorist groups.

The children of whom I speak need to be helped to leave the ranks of such armed terrorist groups and gangs, to relocate and rejoin their families and communities, and to regain their childhood and liberty. My delegation therefore urges the international community to continue supporting the efforts of the African Union and neighbouring countries of Somalia to bring peace to that country and to guarantee its children a brighter future.

As I conclude, I would like to express my delegation's deep gratitude for the work of Ms. Radhika Coomaraswamy, the immediate former Special Representative of the Secretary-General, for her dedicated service to the cause of children. I wish her the best in her future assignments.

Finally, my delegation wishes to reiterate its support for the mandate of the Special Representative of the Secretary-General. I also wish to restate the truism that life for children will ill be much better if we not only recognize the interconnectedness among security, human rights and development, but also dedicate resources to improving children's lives everywhere and to supporting countries that are in difficulties in providing such rights.

The President: I now give the floor to the representative of Nigeria.

Mr. Sarki (Nigeria): I join other speakers in congratulating you, Sir, on assuming the presidency of the Council for this month. I also thank you for your initiative, Mr. President, in organizing this important debate on children and armed conflict, as well as for the concept note (S/2012/685, annex) intended to provide direction for our discussion today. As conflicts and crises continue to break out around the world, with an obvious negative impact on the most vulnerable members of society, mainly children and women, the time for such a debate could not be more appropriate.

Nigeria appreciates that the Security Council continues to place a great priority on the plight of children in armed conflict in its work. Indeed, Nigeria had the opportunity to contribute to the process during its stewardship of the Security Council through its participation in the Working Group on Children and Armed Conflict.

The various resolutions on the issue of children and armed conflict are testimony to the commitment of the Council to address the subject matter. Furthermore, the various action plans adopted by countries is also evidence of adherence to and support for the Security Council's leadership in that domain. I congratulate all Member States that have adopted action plans, recognizing their determination to address the serious predicament in which children in conflict zones often find themselves.

At this point, let me commend the former Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Radhika Coomaraswamy, for her invaluable role in placing the plight of children in conflict high on the United Nations and international agendas.

I would also like to welcome and congratulate the new Special Representative of the Secretary-General, Leila Zerrougui, on her well-deserved appointment. She assumes her responsibility at a time of great challenges for children around the world. Children, women and other vulnerable groups are exposed to hardship and terrible danger in many conflicts around the world. We share Ms. Zerrougui's conviction on the scope of the work that needs to be done to protect children in conflict areas. We assure her of our unflinching support in the discharge of her responsibilities. We also wish to acknowledge the input into this meeting of Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations, Mr. Anthony Lake, Executive Director of UNICEF, and Mr. David Tolbert, President of the International Center for Transitional Justice. In recent times, the international community, including the Security Council, has taken a determined stance against perpetrators of grave violations against children. The steady growth in the number of action plans and the increasing adherence to international human rights and humanitarian law are contributing to mobilizing concerted international action aimed at ensuring the safety and welfare of children, especially in conflict zones. In that context, we are encouraged by progress made with regard to increasing accountability for perpetrators of the six types of grave violations against children in armed conflict.

Nevertheless, more needs to be done, as we all have a responsibility to protect those vulnerable and defenseless members of society. National and international efforts must therefore be intensified to ensure accountability as a means of deterrence and to bring the perpetrators of those acts to justice. The Security Council in particular and the international community in general have an important role to play in those endeavours. We share the Secretary-General's assessment on the need for concerned Member States to allow independent access for the United Nations for the purposes of monitoring and reporting on grave violations against children.

Efforts should also be intensified, in accordance with the suggestions made by the Secretary-General and the Special Representative of the Secretary-General for Children and Armed Conflict, to secure adequate resources for the purpose of the rehabilitation of children released from recruitment, as well as for exploring the possibilities of establishing legal and administrative mechanisms for paying reparations to child victims of grave violations. In addition, we should ensure that specific provisions for the protection of children continue to be included in all relevant mandates of United Nations peacekeeping operations, as well as political and peacebuilding missions and other United Nations planning instruments and processes.

We believe that it is the responsibility of the Council to provide leadership in the global effort to set aside the necessary political, financial and legal resources for the achievement of our objective of protecting children in armed conflict.

Before coming here, I was at the African Union secretariat, where we listened to the new Special Representative of the Secretary-General on Sexual Violence in Conflict. We believe that those two evils are two sides of the same coin - children and armed conflict and sexual violence against women. Most of those human rights violations happen in conflict situations. We urge the Council to address those issues concurrently and to keep them always on its agenda.

The President: I give the floor to the representative of New Zealand.

Mr. McLay (New Zealand): We thank you, Sir, and your country, Germany, which holds the presidency of the Council this month, for ensuring consideration of this issue, and indeed for the excellent work you have done as Chair of the Working Group on children and armed conflict. It is the second year in a row that you, Sir, have demonstrated leadership on this very important topic.

New Zealand was very pleased to be a sponsor of resolution 2068 (2012), adopted today, which strengthens the Council's children and armed conflict agenda, and we applaud its passage, although we do regret the lack of unanimity.

We welcome the appointment of Ms. Leila Zerrougui as the new Special Representative for Children and Armed Conflict. She brings outstanding credentials to her critically important task. We join Belgium, the United Kingdom of Great Britain and Northern Ireland and many others in urging all States to support all aspects of her mandate without let or hindrance, without qualification. We join Kenya and others in paying tribute to the courage, professionalism, and, in the light of some recent comments, I underline the word professionalism, leadership and vision of the former Special Representative of the Secretary-General for Children and Armed Conflicts, Radhika Coomaraswamy, whose unwavering efforts demonstrated the importance of a continuing mandate for addressing abuses of children in armed conflict.

A very clear majority of United Nations Member States abhor the use and abuse of children in armed conflict, so we see today's debate as a very important opportunity for those countries to demonstrate their political will that the matter be aggressively addressed by the Council as part of its role in maintaining peace and security.

Children — innocent children — must be protected and must receive particular attention from the Council. Likewise, we welcome thematic resolutions on children and armed conflict as an important signal that the Council will tackle the issue.

New Zealand is a member of the Group of Friends on Children and Armed Conflict and endorses all the comments made by the representative of Canada on behalf of the Group. I will not repeat what was said, but I will make a comment on just four matters very briefly.

First, it is clear that, over the past year, specialized offices and reporting mechanisms continued to perform essential functions. Through that reporting, the Secretary-General has recounted appalling situations requiring the urgent attention of the United Nations and its Member States. His report also identifies some of the successes in protecting children, and we commend those achievements. So, we say quite unequivocally that specialized reporting with all its disclosures must continue.

Secondly, we wish to see greater mainstreaming of the children and armed conflict agenda, with its issues being considered across all areas of the Council's work, including all relevant mandates of United Nations peacekeeping, political and peacebuilding missions, and also by deploying child protection advisers in accordance with the child protection policy of the Department of Peacekeeping Operations. New Zealand regards the protection of children as fundamental to the maintenance of peace and security, which means that it must be factored into all relevant decisions across the Council's agenda.

Thirdly, greater use of sanctions, or just the threat thereof, should be a useful tool in meaningfully addressing the most serious abuses of children, particularly those committed by persistent perpetrators. In situations that are already subject to sanctions, political will is required to address the specific issue of child protection. Situations that are not currently subject to sanctions require a degree of innovation in the Council's working methods. We urge that political will and that innovation.

We also call for greater use of child protection experts in sanctions committees' groups of experts. We commend the sanctions committees on Côte d'Ivoire, the Democratic Republic of the Congo, Somalia and the Sudan for including designation criteria on grave violations against children.

Finally, accountability is essential, particularly in respect of breaches that constitute war crimes and crimes against humanity. We encourage greater support and assistance to national judicial mechanisms to prevent impunity for perpetrators of those grave crimes. We particularly urge that priority be given to providing international assistance for capacity-building in national judicial systems. Moreover, where national judicial mechanisms are unwilling or unable to investigate or prosecute, we see a clear role for international criminal tribunals and for the International Criminal Court.

In that regard, we welcome the recent outcomes of the Taylor and Lubanga proceedings, both of which made significant advances in the fight against impunity for war crimes committed against children. They are, as Belgium described them, landmark decisions.

Above all, we recognize and commend the gains and successes made in the children and armed conflict agenda. But, so long as thousands of children remain subject to the horrors of armed conflict, we will not

rest, and we will do all we can to push forward this agenda in all its aspects, and, hopefully, with even more favourable outcomes. We cannot hear that particular plea from the mouths of, to use the biblical phrase, babes and sucklings. So we, the peoples of the United Nations, must make that plea on their behalf.

The President (spoke in Spanish): I give the floor to the representative of Uruguay.

Mr. Cancela (Uruguay) (*spoke in Spanish*): I would like to begin by thanking the German delegation for convening this most timely open debate on children in armed conflict. Allow me also to express our gratitude for the presence of the new Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Leila Zerrougui, and to inform her that she can count on our full support for the accomplishment of her mandate.

We emphasize the importance of continuing to draw on the substantive reports submitted by the Special Representative, which allow us to appraise the progress that has been achieved as well as any pending challenges.

Nonetheless, we note that the impact of armed conflicts and the increase in the number of perpetrators of grave violations against children remain a source of concern. This item is on the agenda of the General Assembly, a forum in which my country has played an active role every year in seeking to strengthen the responsibility of that forum of universal composition in a thematic area that is part of its mandate and is a concern shared by all.

However, Uruguay also wishes to recognize the role played by the Security Council through the adoption of numerous resolutions calling for taking specific actions aimed at ending the illegal recruitment and exploitation of children in conflict zones. We acknowledge the contribution made by the International Criminal Court, which has classified as war crimes acts of sexual violence and acts of recruitment or enlisting involving minors under 15 years of age or their use for active participation in hostilities during armed conflicts, as well as the actions of the other international tribunals that have included the protection of children in their respective remits. In that regard, we believe it is essential to fight tirelessly against the impunity of the perpetrators of grave violations against children, which clearly flouts international law.

We therefore encourage the Security Council to refer such cases to the International Criminal Court. Cooperation with national and international courts is a fundamental step towards ensuring effective accountability in such situations. My delegation believes that we must pay greater attention to the reintegration of children associated with armed groups, as well as those children who have been the victims of other grave human rights violations, in particular in cases of sexual abuse or exploitation.

We highlight the essential importance of effective disarmament, demobilization and reintegration programmes for the well-being of all children affected by armed conflicts. These efforts must enjoy adequate human and financial resources and must be community-based in order to facilitate the sustained and successful reintegration of those children.

The social reintegration of children also implies the careful consideration of the cases of minors who have been accused of crimes committed during their association with armed forces or groups. In such cases, the children should be primarily considered as victims and should be treated in accordance with international legislation within the framework of a judicial system for minors that is aimed at their social rehabilitation.

The President: I give the floor to the representative of the Philippines.

Mr. Cabactulan (Philippines): Mr. President, I thank you for this opportunity to address the Council on the issue of children and armed conflict.

The eleventh report of the Secretary-General (S/2012/261) on the matter describes exhaustively and in detail the dire situation of children recruited, killed, maimed and violated by groups in situations of armed conflict on the Security Council's agenda.

The Philippines wishes to note, therefore, the efforts undertaken by the Special Representative of the Secretary-General to keep us all informed about the developments on the ground and to posit possible ways by which we can address the circumstances and the contexts that expose our societies' most vulnerable — our children — to the most difficult realities of our modern world, namely, armed conflicts. At the same time, however, it is equally important that the report must impartially reflect the situation on the ground.

In that regard, the Philippines welcomes the appointment of Ms. Leila Zerrougui as Special Representative of the Secretary-General for Children and Armed Conflict. Her independent and impartial office plays an instrumental and pivotal role in putting forward positive, transparent and balanced actions that will help permanently lift children from the quagmire of violence and restore to them the full rights that they deserve. The task, as we can plainly see, is not an easy one and much more needs to be done and properly evaluated in that area.

The issue of children in armed conflicts is multidimensional and requires concerted, coherent and coordinated decisions and actions on the part of all stakeholders. While Governments are rightly held accountable for their duty to protect children and their rights, it must be emphasized that the issue of accountability likewise lies with all parties concerned. Therefore, the political will of all stakeholders and parties, particularly persistent perpetrators, will be key, if we are to make more concrete and visible progress on the issue.

The Philippines notes that despite the efforts of stakeholders, through the years, the number of persistent perpetrators has increased drastically, a concern that continues to draw on the Security Council's attention and time. Permit me then to highlight some points that we hope will help build on past and current efforts.

The listing and delisting criteria for parties should be clear, transparent, objective and balanced. As the Philippines has stated before, the Security Council may wish to assess the level of commitment and the scope of mechanisms, efforts and outcomes on the ground as indicators for the delisting of parties.

As we remain focused on these goals, the Security Council may wish to consider a stronger focus on the encouragement that delisting can bring in order to sustain efforts aimed at protecting children in armed conflicts. It would, in fact, be an indicator of failure on the part of the Security Council and the United Nations if the list were expanding. There should be movement from list 1 to list 2, and subsequently, graduation from those lists. While being seized of the matter, the decision adopted this morning in resolution 2068 (2012) starts with graduation from the list and will let appropriate agencies or bodies do their job to secure the improvement of actions in favour of the children concerned. At the same time, that would free up the Council so that it can engage itself in the most prominent issues regarding international peace and security.

The discussion of the issue of persistent perpetrators must be in keeping with the mandates of the Security Council and the Working Group on Children and Armed Conflict.

The current monitoring efforts must be in keeping with paragraph 2 (d) of resolution 1612 (2005), which stresses that

> "any dialogue established under the framework of the monitoring and reporting mechanism by United Nations entities with non-State armed groups in order to ensure protection for and access to children must be conducted in the context of peace processes where they exist and the cooperation framework between the United Nations and the concerned Government".

Yet, certain proper appreciation of that paragraph really must be applied in that regard.

More frequent and regular interaction and deeper engagement on the part of the Special Representative with stakeholders, including the missions of the United Nations, may help move relevant processes forward and help identify possible solutions to standing issues. The interaction may likewise further help the Special Representative in the preparation of a more balanced, impartial and candid report.

For its part, together with the rest of the world, the Philippines stands ready to work closely with all relevant stakeholders and parties to help provide the strong political and ideological framework within which the realities that expose children to armed conflicts and the violence associated with them can be effectively addressed. Of course, we are doing our part in protecting our children.

We are a bit disheartened, however, that the process as it emerges from the report does not seem to enjoy the satisfaction of anyone. The Philippines questions certain information for which we provided points of clarification; yet what came out did not thoroughly reflect the situation on the ground. We have made it clear that some required actions are simply beyond the Government's ability to influence, because they constitute a clear call to action for other parties. We are also concerned that all such attention by us here may in fact be counter-productive to efforts to put finality to the situation that gave rise to our concern for children.

We often favour the involvement of non-violent peace forces, which groups that are impartial and therefore accepted by all parties. Unfortunately, sometimes the United Nations is not perceived that way. It is seen as more on the side of the Government.

The President: I now give the floor to the representative of Vietnam.

Mr. Pham (Vietnam): I would like to begin by thanking you, Sir, for organizing today's important debate and for your leadership as Chair of the Working Group on Children and Armed Conflict. I thank the Secretary-General for his comprehensive report on this subject (S/2012/261). I am also grateful to the Special Representative of the Secretary-General for Children and Armed Conflict, the Under-Secretary-General for Peacekeeping Operations and the Executive Director of UNICEF for their briefings.

Viet Nam welcomes the significant progress achieved over the past year on the signing of action plans to end the recruitment and use of child soldiers and to secure their release. We are encouraged by the Council's unanimous adoption of resolution 1998 (2011), and the adoption by the General Assembly of resolution 66/139 on strengthening collaboration on child protection within the United Nations system, which all 10 members of the Association of Southeast Asian Nations co-sponsored. At the same time, my delegation remains concerned that, with armed conflicts escalating in many parts of the world, children continue to fall victim to killing, maiming and all other sorts of violence and, most currently, the appalling trend of using boys and girls, some as young as eight years old, as suicide bombers and "victim" bombers. The work of the United Nations on children in general, and on children and armed conflict in particular, is therefore among its most important activities.

In that context, Viet Nam attaches great importance to the protection of children affected by armed conflict, and strongly condemns all violations of international law committed against children in conflict situations. Viet Nam is pleased that the issue of children and armed conflict continues to receive the attention it deserves on the agendas of the United Nations and the Security Council. Viet Nam supports the continued efforts of relevant United Nations bodies to protect children affected by armed conflict in accordance with their respective mandates. Back in 2008, during our tenure in the Council, Viet Nam organized an open debate on the issue of children and armed conflict with a view to strengthening the commitment and efforts of the Security Council, the United Nations and the international community at large towards achieving a long-term and sustained solution to the issue of children affected by armed conflict.

In fulfilling those aims, Viet Nam shares the view that there is a need for a preventive strategy that addresses the root causes of armed conflict by promoting sustainable development, poverty eradication, national reconciliation, good governance, democracy, the rule of law and respect for and protection of human rights, and the reintegration and rehabilitation of children associated with armed forces and armed groups. The role of UNICEF, all relevant United Nations agencies and the other actors of the United Nations system is therefore indispensable. In order to ensure the successful implementation of such a strategy, coordination among those agencies and actors should be enhanced to maximize scarce resources, avoid duplication of works and strategically address issues of common concern.

It is also important that we not forget that States bear the primary responsibility for protecting their civilians, including children, in armed conflict. The United Nations should encourage and help States to exercise that responsibility. Therefore, the monitoring and reporting mechanism established by resolution 1612 (2005) should operate with the participation of and in cooperation with national Governments, and all actions undertaken by United Nations entities within the framework of the mechanism must be designed to support and supplement the capacity of national Governments for the protection and rehabilitation of children.

In conclusion, we wish to reiterate our continued commitment to working with Council members and the international community to defend and promote the best interests of children affected by armed conflict.

The President: I now give the floor to the representative of the Sudan.

Mr. Osman (Sudan) (*spoke in Arabic*): I congratulate Ms. Zerrougui on having garnered the confidence of the Secretary-General through her appointment as Special Representative of the Secretary-General for Children and Armed Conflict. I wish her every success in accomplishing her tasks. We are convinced that she will carry out her mandated duties in an appropriate manner, although her predecessor deviated somewhat

from those tasks. We note that Ms. Zerrougui is taking up her duties today.

My delegation takes note of the Secretary-General's report on children and armed conflict (S/2012/261) before us today, which covers the period from January to December 2011. We listened carefully to the briefing by Ms. Zerrougui. In that regard, we are pleased to reiterate that the situation of children in armed conflict in the Sudan has clearly improved with respect to the past. That progress, which can be attributed to the efforts of the Government in Blue Nile and Southern Kordofan states, is highlighted in the first paragraphs of the report. It is also the result of the signing of the Doha Agreement, the establishment of the Darfur Transitional Authority, and the deployment of the United Nations Interim Security Force for Abyei.

The establishment of normal relations with the brotherly country of Chad, and the signing of a border monitoring agreement with that country and of an agreement with the brotherly Central African Republic, have had a positive impact on the protection of civilians, including children.

On the topic of Darfur, I would stress that the rebel movements that did not sign the Darfur Peace Agreement, including in particular the Justice and Equality Movement, continue to abduct and recruit children to carry out military operations, armed looting and abductions of peacekeeping officials. The reality is that we did want to put an end to that type of operation targeting children by sending a letter indicating the Council's strong condemnation of such actions. While some continue to ignore the situation, not giving it due consideration and turning a blind eye to the facts, such a reaction will be simply ineffective in dealing with the issue of the recruitment of children.

The end of the mandate of the Independent Expert on human rights in the Sudan under paragraph 4 and its resumption under paragraph 10 point to an improvement in the human rights situation in the Sudan, particularly as concerns the rights of children. The Secretary-General's report mentions limitations and obstacles that are hampering the mechanisms to monitor violations against children. In that respect, my delegation reiterates that movement within Darfur on the part of the African Union-United Nations Hybrid Operation in Darfur requires a simple notification, not authorization, so as to coordinate protection.

With respect to the signing of the action plan to put an end to the recruitment of children, we are pleased to note that, in addition to the fact that the law on the armed forces and police in the Sudan prohibits the practice, the armed forces of the Sudan have agreed to sign the action plan. In the near future, the mission will be providing details on the agreement to the Office of the Special Representative of the Secretary-General for Children and Armed Conflict. My delegation hopes that that will contribute to the delisting of the Sudan from the list of countries that recruit children.

In the two states of Blue Nile and Southern Kordofan, as well as in the Abyei region, the Sudan People's Liberation Army and the the Sudan People's Liberation Movement-North were the direct cause of the events that unfolded, in blatant violation of the Comprehensive Peace Agreement. Along those lines, we underscore, as was mentioned in the report, that the popular movements that have not signed the Darfur Peace Agreement continue to use recruit children and to use them as human shields. With respect to information sources, my delegation reiterates its request that the Secretary-General's reports contain accurate, verified information and that the relevant organizations be notified in that connection so as to enable them to provide comments before the publication of such reports.

Given that we attach importance to the rights of children and their protection, my country has adopted many laws in recent years. The Sudan ratified the Convention on the Rights of the Child and its two Optional Protocols some years ago. The text of the Convention and Protocols was translated in 2010 into a law that entered into force a year ago. Moreover, mechanisms for the protection of children at the federal and state levels have also progressed as councils on children have been established in each state. Police units directly responsible for children's affairs and for their protection have been created, as have units for children's protection within the army and the police. Those units, among other things, ensure the application of the law on the armed forces, the police and security forces, which prohibits the recruitment of children under 18 years of age.

Other developments include the creation of a unit for combating violence against children and women within the Ministry of Welfare and Social Security. At the social level, my country has for some years conducted campaigns to protect children as well as to

educate families and social players and to raise their awareness about matters relating to children and their education and health. That has all taken place under the auspices of the State, working together with United Nations agencies and programmes active in the Sudan, such as UNICEF. Statistics on the subject demonstrate a drop in the number of deaths of children and acts of violence against them.

Above and beyond the efforts of the Government to protect children in my country, additional progress has been made to strengthen children's rights, including the creation of a high independent commission for children's rights and a special tribunal in Darfur, as well as the appointment of a prosecutor for the tribunal.

A verification committee has also been established in Southern Kordofan. An inventory was conducted there in a tripartite initiative, in cooperation with United Nations agencies, including UNICEF and the World Food Programme, that will have a positive impact on children in Blue Nile and Southern Kordofan states.

To conclude, the Government of the Sudan reiterates its commitment to the children of the Sudan, who are our future leaders. We reiterate our assurance to the Special Representative of the Secretary-General for Children and Armed Conflict and all of the specialized agencies of our full cooperation with their efforts. We hold the highest hope that those efforts will foster strengthened governmental capacities, which we consider of critical importance.

The President: I now give the floor to the representative of Afghanistan.

Mr. Tanin (Afghanistan): Please allow me to begin by congratulating you, Sir, on your assumption of this month's presidency of the Council, and by thanking you for convening this meeting. I would also like to congratulate Ms. Leila Zerrougui on her appointment as Special Representative of the Secretary-General for Children and Armed Conflict, and I wish her the best in her new role.

Fifty-three per cent of Afghans are under 18 years of age. Tragically, these young people have grown up in an atmosphere of war and violence. Despite the unfortunate circumstances of their upbringing, these young people are full of hope. They represent the future of Afghanistan and will be the ones to carry forward our vision of a safe and vibrant nation with growing economic opportunities,and equality for its citizens, male and female alike. My Government is committed to ensuring our country's bright future by protecting our children and fostering their development.

Children in Afghanistan suffer from the consequences of the terrorism and violence of the Taliban, Al-Qaida and terrorist groups. These groups are responsible for brutal acts against civilians, such as the Taliban attacks that targeted girls' schools in 2012 using poisonous gas. Last year, 1,396 Afghan children were killed or maimed. Seventy-four per cent of all child casualties in Afghanistan are caused by the aforementioned armed groups. Therefore, any course of action that seeks to ameliorate the well-being of Afghan children must also focus on diminishing the influence of terrorism and extremism in Afghanistan.

Children are being coerced to serve in armed conflict in Afghanistan by the very terrorist and extremist groups that continue to commit heinous acts against children. We have experienced devastating situations in which children have been forced to carry out suicide attacks or to smuggle weapons across the border. The use of children as a weapon of war is an atrocious crime that must be addressed with firm conviction.

Just as the challenges for Afghan children need to be recognized, so too does their progress. In Afghanistan, we have seen encouraging progress in our crucial efforts to protect our children and ensure their promising future. I should like to cite some examples of meaningful measures taken by the Government of Afghanistan to protect and address the needs of children in armed conflict.

First, in February the Ministry of Justice began drafting a comprehensive legal code to protect Afghan children. It consulted closely with UNICEF throughout the process, and we look forward to a product that will truly benefit the well-being of Afghan children. We have also published our 2012 report on children and armed conflict in Afghanistan, and we look forward to hearing reactions.

Secondly, the Ministry of Justice has established the General Directorate of Human Rights Protection, which will serve to oversee the upholding of human rights in all Government activities.

Thirdly, we have expanded our birth registration system to cover all 34 provinces. The expansion of this system throughout Afghanistan will greatly improve

age verification procedures for recruiters so that they can recruit in accordance with the Ministry of the Interior's age requirement provision.

We must continue our efforts to prevent underage recruitment in our armed forces. It is our goal to ensure that 18 years is the minimum age for recruitment to participate in police activity. To that end, we have acted decisively. In 2011, Afghanistan's Ministry of the Interior published an order mandating that "in no circumstances shall individuals under 18 or over 35 be recruited or deployed to military services".

Recruitment into armed forces is indicative of a far greater problem facing children — lack of opportunity. It is crucial that we reintegrate young people into society and provide them with career opportunities. To that end, we have created training centres for children leaving military service to train for professional and technical careers.

I am encouraged by the progress made by the international community in protecting children in Afghanistan and in other countries. In 2011, the Special Representative reported that 10,000 children worldwide were freed from their associations with armed groups because of action plans established by the United Nations and the parties involved in conflict.

All children deserve the right to live in a safe, secure country that is rich with education and opportunity. Since 2001, the Government of Afghanistan has been implementing policies aimed at these objectives, but there is still much work to be done. The Afghan Government is fully committed to fostering a domestic environment that will enable all Afghan children to reach their full potential. That is that only way that Afghanistan will be able to fully transition into a peaceful, safe country for all.

The President: I give the floor to the representative of Malaysia.

Mr. Haniff (Malaysia): At the outset I wish to congratulate Germany on assuming the presidency of the Security Council for this month. I also wish to thank you, Sir, for convening this open debate on children and armed conflict. I would also like to commend Germany for its leadership in chairing the Working Group on Children and Armed Conflict, which has produced significant decisions in moving the issue forward.

I would also like to take this opportunity to congratulate Ms. Leila Zerrougui on her recent appointment as the new Special Representative of the Secretary-General for Children and Armed Conflict. Additionally, I thank the Special Representative, the Under-Secretary-General for Peacekeeping Operations, the Executive Director of UNICEF and Mr. Tolbert for their valuable briefings this morning.

Malaysia is deeply concerned about the increasing number of persistent perpetrators of severe violations against children, particularly the parties listed in the annexes to the Secretary-General's report (S/2012/261). I urge the parties involved to continue consultations with the United Nations and implement the action plans without delay. My delegation concurs with the Secretary-General's recommendations that the Security Council ensure that specific provisions for the protection of children continue to be included in all relevant mandates of United Nations peacekeeping operations, as well as political and peacebuilding missions, and that the issue be given the highest visibility possible.

Malaysia is equally disturbed by the fact that there was a significant increase in 2011 of fatal incidents in the occupied Palestinian territories, where 20 Palestinian children were killed and 448 were injured. We are deeply concerned about the unending cycle of violence in which Palestinian children are detained and subjected to cruel and degrading treatment by Israeli security forces. I reiterate my call, particularly in the Council, for the perpetrators to be brought to justice. The only way forward is to ensure that Palestinians, especially Palestinian children, are granted their basic rights as human beings.

Malaysia notes the mention in the Secretary-General's report of attacks on schools and hospitals. We are saddened that such places, which are regarded as safe havens, are being ravaged by such deplorable acts. We call on the Security Council to address this issue, since the attacks not only claim innocent lives but also deprive people of their right to education and health.

We believe there is an urgent need to strengthen collaboration and the protection of children within the United Nations system. In an effort to help accomplish that crucial ongoing task, at the General Assembly's sixty-sixth session Malaysia co-sponsored resolution 66/139, introduced by Thailand, on strengthening collaboration on child protection within the United Nations system, which was designed to bring about important organizational improvements that will further the cause of protecting children worldwide.

We are also parties to a wide range of international instruments that provide a legal framework for the six grave violations committed against children in armed conflict. I am pleased to announce that on 12 April Malaysia, as a State party to those conventions, acceded to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. This is a milestone and underscores Malaysia's commitment to the protection of children around the world.

Malaysia acknowledges the two verdicts pronounced by the International Criminal Court and the Special Court for Sierra Leone in March and April this year on the former Congolese warlord Thomas Lubanga and the former Liberian President Charles Taylor, respectively, establishing important precedents for international jurisprudence on the war crime of recruiting and using children. They send a clear signal to commanders that child recruitment is a war crime and that perpetrators will be held accountable.

In that regard, Malaysia feels that Governments in conflict should strengthen their capacity to investigate and prosecute adult recruiters before national courts. Measures that can help achieve this include criminalizing underage recruitment and prosecuting and investigating perpetrators; raising awareness of child protection at the community level; addressing the root causes of voluntary recruitment, such as poverty, social grievances and basic survival; and providing children with alternatives to military enrolment.

Malaysia reaffirms its strong commitment to efforts aimed at protecting and promoting the rights of children, including by paying sustained attention to the issue of children in armed conflict. We feel that, in the context of the issue of children and armed conflict, accountability consists not only in careful investigations and prosecutions of those responsible, but also in a broader shouldering on the part of individuals and institutions of the political, legal and moral responsibility for violations that have occurred in the past. Malaysia views accountability as a duty under both domestic and international law. In that regard, national systems should be guided towards meeting international standards in order to establish effective accountability measures in the hope of bringing justice, dignity and rehabilitation for children victimized by armed conflict.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded its consideration of the item on its agenda.

The meeting rose at 6.35 p.m.